

# OAK PARK UNIFIED SCHOOL DISTRICT BOARD POLICY

Series 6000

Instruction

BP 6163.4(a)

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## Student Use of Technology

The Governing Board intends that technological resources provided by the District be used in a safe and responsible manner in support of the instructional program and for the advancement of student learning. All students using these resources shall receive instruction in their proper and appropriate use.

*(cf. 0440 - District Technology Plan)*

*(cf. 1113 - District and School Web Sites)*

*(cf. 4040 - Employee Use of Technology)*

*(cf. 6163.1 - Library Media Centers)*

Teachers, administrators, and/or library media specialists are expected to review the technological resources and online sites that will be used in the classroom or assigned to students in order to ensure that they are appropriate for the intended purpose and the age of the students.

The Superintendent or designee shall notify students and parents/guardians about authorized uses of District technology, user obligations and responsibilities and consequences for unauthorized use and/or unlawful activities in accordance with this Board Policy and the District's Student Technology Acceptable Use Agreement.

District technology includes, but is not limited to, District-owned devices (e.g. computers, mobile computing devices including smartphones and tablets, telephones, removable storage devices, wireless access points (routers), personal digital assistants, MP3 players, wearable technology, any wireless communication device(emergency radios), etc.); the District's email system, computer network, servers, wireless computer networking technology (Wi-Fi), online collaboration, file storage services; any system or program owned, managed or licensed by the District (such as Google Apps For Education, EADMS, Aequitas Q Student Information System, etc.); peripherals; interactive projection systems; access to network information sources; and future technological innovations. All aspects of this policy and the District's Student Technology Acceptable Use Agreement, apply equally whether District technology is accessed on or off site or through district-owned or personally-owned equipment or devices.

Before a student is authorized to use the District's technology, the student and his/her parent/guardian shall sign and return the District's Student Technology Acceptable Use Agreement. In that agreement, the student and his/her parent/guardian shall agree to not hold the District or any district staff responsible for the failure of any technology protection measures or users' mistakes or negligence, and shall agree to indemnify and hold harmless the District and District staff for any damages or costs incurred.

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*(cf. 6162.6 – Use of Copyrighted Materials)*

The District reserves the right to monitor all student use of District technology within the jurisdiction of the District without any advance notice. Students have no reasonable expectation of privacy when using District technology. By using District technology, students and parents grant specific consent to the District to search and monitor all use of District Technology, including, but not limited to, electronic communication information and electronic device information created, stored, or transmitted via District technology. Students using District technology shall be informed that their use of District technology, including, but not limited to, computer files, email, text messages, instant-messages, Internet usage, and other electronic communications, is not private and may be monitored and/or accessed by the District at any time without additional notice. The data that students create, store, and/or transmit using District technology is not private and is considered the property of the District. Students' personally owned devices will not be searched unless there is a reasonable suspicion, under the circumstances, that the student is violating law, District policy, or school rules. (New Jersey v. T.L.O.)

District-owned devices may be provided to students for educational purposes. Upon receipt of a District-owned device, the student and the student's parents are the authorized possessor as defined in the California Electronic Communications Privacy Act ("CalECPA"), also known as Senate Bill 178. As an authorized possessor of a District-owned device, students are responsible for using the device appropriately for educational purposes and in accordance with the District's Student Technology Acceptable Use Agreement. Only the student assigned as the authorized possessor of the device may use the device. The District may confiscate any District-owned device at any time and without cause. If the District confiscates a District-owned device, the student is no longer the authorized possessor.

By using District technology, whether from personal or District-owned devices, students and parents grant specific consent, as defined by CalECPA, to the District to review and monitor all electronic communication information and electronic device information created, stored, or transmitted via District technology.

*(cf. 5145.12 – Search and Seizure)*

The Superintendent or designee may gather and maintain information pertaining directly to

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school safety or student safety from the social media activity of any District student in accordance with Education Code 49073.6 and BP/AR 5125 – Student Records.

*(cf. 5125 – Student Records)*

Whenever a student is found to have violated Board policy or the District’s Acceptable Use Agreement, the principal or designee may cancel or limit a student’s user privileges and/or increase supervision of the student’s use of the District technology, as appropriate. Inappropriate use also may result in disciplinary action and/or legal action in accordance with law and Board policy.

*(cf. 5125.2 – Withholding Grades, Diploma or Transcripts)*

*(cf. 5144 – Discipline)*

*(cf. 5144.1 – Suspension and Expulsion/Due Process)*

*(cf. 5144.2 – Suspension and Expulsion/Due Process (Students with Disabilities))*

The Superintendent or designee, with input from students and appropriate staff, shall regularly review and update procedures to enhance the safety and security of students using the District’s technology and to help ensure that the District adapts to changing technologies and circumstances.

## Internet Safety

The Superintendent or designee shall ensure that all District computers with Internet access have a technology protection measure that protects against access to visual depictions that are obscene, child pornography, or harmful to minors, and that the operation of such measures is enforced. (20 USC 6777, 47 USC 254, 47 CCR 54.520)

To reinforce these measures, the Superintendent or designee shall implement rules and procedures designed to restrict students' access to harmful or inappropriate matter on the Internet and to ensure that students do not engage in unauthorized or unlawful online activities.

Harmful matter includes matter, taken as a whole, which to the average person, applying contemporary statewide standards, appeals to the prurient interest and is matter which depicts or describes, in a patently offensive way, sexual conduct and which lacks serious literary, artistic, political, or scientific value for minors. (Penal Code 313)

The District's Acceptable Use Agreement shall establish expectations for appropriate student conduct when using the Internet or other forms of electronic communication, including, but not limited to, prohibitions against:

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1. Accessing, posting, submitting, publishing, or displaying harmful or inappropriate matter that is threatening, obscene, disruptive, or sexually explicit, or that could be construed as harassment or disparagement of others based on their race/ethnicity, national origin, sex, gender, sexual orientation, age, disability, religion, or political beliefs;

*(cf. 5131 - Conduct)*

*(cf. 5131.2 - Bullying)*

*(cf. 5145.3 - Nondiscrimination/Harassment)*

*(cf. 5145.7 - Sexual Harassment)*

*(cf. 5145.9 - Hate-Motivated Behavior)*

2. Intentionally uploading, downloading, or creating computer viruses and/or maliciously attempting to harm or destroy District equipment or materials or manipulate the data of any other user, including so-called "hacking," and

3. Distributing personal identification information, including the name, address, telephone number, Social Security number, or other personally identifiable information, of another student, staff member, or other person with the intent to threaten, intimidate, harass, or ridicule that person.

The Superintendent or designee shall provide age-appropriate instruction in regard to safe and appropriate behavior on social networking sites, and other Internet services. Such instruction shall include, but not be limited to, the dangers of posting personal information online, misrepresentation by online predators, how to report inappropriate or offensive content or threats, behaviors that constitute cyberbullying, and how to respond when subjected to cyberbullying.

Legal Reference:

*EDUCATION CODE*

49073.6 Student records; social media

51006 Computer education and resources

51007 Programs to strengthen technological skills

51870-51874 Education Technology

60044 Prohibited instructional materials

*PENAL CODE*

313 Harmful matter

502 Computer crimes, remedies

632 Eavesdropping on or recording confidential communications

653.2 Electronic communication devices, threats to safety

*UNITED STATES CODE, TITLE 15*

6501-6506 Children's Online Privacy Protection Act

*UNITED STATES CODE, TITLE 20*

6751-6777 Enhancing Education Through Technology Act, No Child Left Behind Act, Title II, Part D, especially:

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6777 Internet safety

*UNITED STATES CODE, TITLE 47*

254 Universal service discounts (E-rate)

*CODE OF FEDERAL REGULATIONS, TITLE 16*

312.1-312.12 Children's online privacy protection

*CODE OF FEDERAL REGULATIONS, TITLE 47*

54.520 Internet safety policy and technology protection measures, E-rate discounts

*COURT DECISIONS*

New Jersey v. T.L.O., (1985) 469 U.S. 325

Management Resources:

*CSBA PUBLICATIONS*

Cyberbullying: Policy Considerations for Boards, Policy Brief, July 2007

*FEDERAL TRADE COMMISSION PUBLICATIONS*

How to Protect Kids' Privacy Online: A Guide for Teachers, December 2000

*WEB SITES*

CSBA: <http://www.csba.org>

American Library Association: <http://www.ala.org>

California Coalition for Children's Internet Safety: <http://www.cybersafety.ca.gov>

Center for Safe and Responsible Internet Use: <http://csriu.org> and <http://cyberbully.org>

Federal Communications Commission: <http://www.fcc.gov>

Federal Trade Commission, Children's Online Privacy Protection:

<http://www.ftc.gov/privacy/privacyinitiatives/childrens.html>

U.S. Department of Education: <http://www.ed.gov>

Adopted: 3-19-96

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