

LIFE Prep Policy Number: 524

Adopted: _____

I. PURPOSE

INTERNET ACCEPTABLE USE AND SAFETY POLICY

The purpose of this policy is to set forth policies and guidelines for access to LIFE Prep's computer system and acceptable and safe use of the Internet, including electronic communications.

II. LIMITED EDUCATIONAL PURPOSE

LIFE Prep is providing students and employees with access to the LIFE Prep computer system, which includes Internet access. The purpose of the system is not to provide students and employees with general access to the Internet; rather, LIFE Prep's computer system has a limited educational purpose, which includes use of the system for classroom activities, educational research, and professional or career development activities. Users are expected to use Internet access through the school's system to further educational and personal goals consistent with the mission of LIFE Prep and school policies. Uses which might be acceptable on a user's private personal account on another system may not be acceptable on this limited-purpose network.

III. USE OF SYSTEM IS A PRIVILEGE

The use of the LIFE Prep computer system and access to use of the Internet is a privilege, not a right. Depending on the nature and degree of the violation and the number of previous violations, unacceptable use of LIFE Prep's computer system or the Internet may result in one or more of the following consequences: suspension or cancellation of use or access privileges; payments for damages and repairs; discipline under other appropriate LIFE Prep policies, including suspension, expulsion, exclusion or termination of employment; or civil or criminal liability under other applicable laws.

IV. UNACCEPTABLE USES

A. The following uses of the LIFE Prep computer system and Internet resources or accounts are considered unacceptable:

1. Users will not use the LIFE Prep computer system to access, review, upload, download, store, print, post, receive, transmit or distribute:
 - a. pornographic, obscene or sexually explicit material or other visual depictions that are harmful to minors;
 - b. obscene, abusive, profane, lewd, vulgar, rude, inflammatory, threatening, disrespectful, or sexually explicit language;

c. materials that use language or images that are inappropriate in the education setting or disruptive to the educational process;

d. information or materials that could cause damage or danger of disruption to the educational process;

e. materials that use language or images that advocate violence or discrimination toward other people (hate literature) or that may constitute harassment or discrimination under Board policies and under law;

2. Users will not use the LIFE Prep system to knowingly or recklessly post, transmit or distribute false or defamatory information about a person or organization, or to harass another person, or to engage in personal attacks, including prejudicial or discriminatory attacks.

3. Users will not use the LIFE Prep computer system to engage in any illegal act or violate any local, state or federal statute or law.

4. Users will not use the LIFE Prep computer system to vandalize, damage or disable the property of another person or organization, will not make deliberate attempts to degrade or disrupt equipment, software or system performance by spreading computer viruses or by any other means, will not tamper with, modify or change the LIFE Prep computer system software, hardware or wiring or take any action to violate the LIFE Prep's security system, and will not use the LIFE Prep computer system in a way that disrupts the use of the system by other users.

5. Users will not use the LIFE Prep computer system to gain unauthorized access to information resources or to access another person's materials, information or files without the implied or direct permission of that person.

6. Users must keep all account information and passwords on file with the designated LIFE Prep official. Users will not attempt to gain unauthorized access to the LIFE Prep computer system or any other system through the LIFE Prep system, attempt to log in through another person's account, or use computer accounts, access codes or network identification other than those assigned to the user. Messages and records on the LIFE Prep computer system may not be encrypted without the permission of appropriate school authorities.

7. Users will not use the LIFE Prep computer system to violate copyright laws or usage licensing agreements, or otherwise to use another person's property without the person's prior approval or proper citation, including the downloading or exchanging of pirated software or copying software to or from any school computer, and will not plagiarize works they find on the Internet.

8. Users will not use the LIFE Prep system for conducting business, for unauthorized commercial purposes or for financial gain unrelated to the mission of LIFE Prep. Users will not use the LIFE Prep computer system to offer or provide goods or services or for product advertisement. Users will not use the LIFE Prep computer system to purchase goods or services for personal use without authorization from the appropriate LIFE Prep official.

B. A student or employee engaging in any of the foregoing unacceptable uses of the Internet when off

LIFE Prep premises and without the use of the LIFE Prep system also may be in violation of this policy as well as other LIFE Prep policies. In situations when LIFE Prep receives a report of an unacceptable use originating from a non-school computer or resource, LIFE Prep disciplinary action for such conduct including, but not limited to, suspension or cancellation of the use or access to the LIFE Prep computer system and the Internet and discipline under other appropriate LIFE Prep policies, including suspension, expulsion, exclusion, or termination of employment.

C. If a user inadvertently accesses unacceptable materials or an unacceptable Internet site, the user shall immediately disclose the inadvertent access to an appropriate LIFE Prep official. In the case of a LIFE Prep employee, the immediate disclosure shall be to the employee's immediate supervisor and/or the building administrator. This disclosure may serve as a defense against an allegation that the user has intentionally violated this policy. In certain rare instances, a user also may access otherwise unacceptable materials if necessary to complete an assignment and if done with the prior approval of and with appropriate guidance from the appropriate teacher or, in the case of a LIFE Prep employee, the employee's immediate supervisor.

V. FILTER

All computers equipped with Internet access and available for student use at each school site will be equipped to restrict, by use of available software filtering technology or other effective methods, all student access to materials that are reasonably believed to be obscene, child pornography or harmful to minors under state or federal law.

A. With respect to any of its computers with Internet access, LIFE Prep will monitor the online activities of minors and employ technology protection measures during any use of such computers by minors and adults. The technology protection measures utilized will block or filter Internet access to any visual depictions that are:

1. Obscene;
2. Child pornography; or 3. Harmful to minors.

B. The term "harmful to minors" means any picture, image, graphic image file, or other visual depiction that:

1. Taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion; or 2. Depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and
3. Taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.

C. An administrator, supervisor or other person authorized by the Superintendent may disable the technology protection measure, during use by an adult, to enable access for bona fide research or other lawful purposes.

VI. CONSISTENCY WITH OTHER SCHOOL POLICIES

Use of the LIFE Prep computer system and use of the Internet shall be consistent with LIFE Prep policies and the mission of LIFE Prep.

VII. LIMITED EXPECTATION OF PRIVACY

- A. By authorizing use of the LIFE Prep system, the LIFE Prep does not relinquish control over materials on the system or contained in files on the system. Users should expect only limited privacy in the contents of personal files on the LIFE Prep system.
- B. Routine maintenance and monitoring of the LIFE Prep system may lead to a discovery that a user has violated this policy, another LIFE Prep policy, or the law.
- C. An individual investigation or search will be conducted if school authorities have a reasonable suspicion that the search will uncover a violation of law or LIFE Prep policy.
- D. Parents have the right at any time to investigate or review the contents of their child's files and e-mail files
- E. LIFE Prep employees should be aware that the LIFE Prep retains the right at any time to investigate or review the contents of their files and e-mail files. In addition, LIFE Prep employees should be aware that data and other materials in files maintained on the LIFE Prep system may be subject to review, disclosure or discovery under Minn. Stat. Ch. 13 (the Minnesota Government Data Practices Act) or other applicable law.
- F. LIFE Prep will cooperate fully with local, state and federal authorities in any investigation concerning or related to any illegal activities or activities not in compliance with LIFE Prep policies conducted through the LIFE Prep system.

IX. INTERNET USE AGREEMENT

This policy requires the permission of and supervision by the school's designated professional staff before a student may use a school account or resource to access the Internet.

The Internet Use Agreement form for students must be read and signed by the user, the parent or guardian, and the supervising teacher. The Internet Use Agreement form for employees must be signed by the employee. The form must then be filed at the school office. As supervising teachers change, the agreement signed by the new teacher shall be attached to the original agreement.

X. LIMITATION ON LIFE PREP LIABILITY

Use of the LIFE Prep system is at the user's own risk. The system is provided on an "as is, as available" basis. LIFE Prep will not be responsible for any damage users may suffer, including, but not limited to, loss, damage or unavailability of data stored on LIFE Prep diskettes, tapes, hard drives or servers, or for delays or changes in or interruptions of service or misdeliveries or nondeliveries of information or materials, regardless of the cause. LIFE Prep is not responsible for the accuracy or quality of any advice or in-

formation obtained through or stored on the LIFE Prep computer system. LIFE Prep will not be responsible for financial obligations arising through unauthorized use of the LIFE Prep system or the Internet.

XI. USER NOTIFICATION

A. All users shall be notified of the LIFE Prep policies relating to Internet use.

B. This notification shall include the following:

1. Notification that Internet use is subject to compliance with LIFE Prep policies.
2. Disclaimers limiting the LIFE Prep 's liability relative to:
 - a. Information stored on LIFE Prep diskettes, hard drives or servers.
 - b. Information retrieved through LIFE Prep computers, networks or online re-sources.
 - c. Personal property used to access LIFE Prep computers, networks or online resources.
 - d. Unauthorized financial obligations resulting from use of LIFE Prep resources/accounts to access the Internet.
3. A description of the privacy rights and limitations of school sponsored/managed Internet accounts.
4. Notification that, even though LIFE Prep may use technical means to limit student Internet access, these limits do not provide a foolproof means for enforcing the provisions of this acceptable use policy.
5. Notification that goods and services can be purchased over the Internet that could potentially result in unwanted financial obligations and that any financial obligation incurred by a student through the Internet is the sole responsibility of the student and/or the student's parents.
6. Notification that the collection, creation, reception, maintenance and dissemination of data via the Internet, including electronic communications, is governed by LIFE Prep 's Policies on Public and Private Personnel Data.

7. Notification that, should the user violate the LIFE Prep 's acceptable use policy, the user's access privileges may be revoked, school disciplinary action may be taken and/or appropriate legal action may be taken.

8. Notification that all provisions of the acceptable use policy are subordinate to local, state and federal laws.

XII.PARENTS' RESPONSIBILITY; NOTIFICATION OF STUDENT INTERNET USE

A. Parents will be notified that their students will be using LIFE Prep resources/accounts to access the Internet. This notification should include:

1. A copy of the user notification form provided to the student user.

2. A statement that the Internet Use Agreement must be signed by the user, the parent or guardian, and the prior to use by the student.

3. A statement that the LIFE Prep 's acceptable use policy is available for parental review.

XIII.IMPLEMENTATION; POLICY REVIEW

A. LIFE Prep administration may develop appropriate user notification forms, guidelines and procedures necessary to implement this policy for submission to the Board for approval. Upon approval by the Board, such guidelines, forms and procedures shall be an addendum to this policy.

B. The administration shall revise the user notifications, including student and parent notifications, if necessary, to reflect the adoption of these guidelines and procedures.

C. The LIFE Prep Internet policies and procedures are available for review by all parents, guardians, staff and members of the community.

D. Because of the rapid changes in the development of the Internet, the board shall conduct an annual review of this policy.

Legal References: 15 U.S.C. § 6501 et seq. (Children’s Online Privacy Protection Act) 17 U.S.C. § 101 et seq. (Copyrights)
20 U.S.C. § 6751 et seq. (Enhancing Education through Technology Act of 2001)
47 U.S.C. § 254 (Children’s Internet Protection Act of 2000 (CIPA))
47 C.F.R. § 54.520 (FCC rules implementing CIPA)
Minn. Stat. § 125B.15 (Internet Access for Students)
Minn. Stat. § 125B.26 (Telecommunications/Internet Access Equity Act)
Tinker v. Des Moines Indep. Cmty. Sch. Dist., 393 U.S. 503, 89 S.Ct. 733, 21 L.Ed.2d 731 (1969)
United States v. American Library Association, 539 U.S. 194, 123 S.Ct. 2297, 56 L.Ed.2d 221 (2003) Layshock v. Hermitage Sch. Dist., 412 F.Supp. 2d 502 (2006)
J.S. v. Bethlehem Area Sch. Dist., 807 A.2d 847 (Pa. 2002)
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