

# MARPLE NEWTOWN SCHOOL DISTRICT

SECTION: OPERATIONS

TITLE: RESPONSIBLE USE OF THE  
COMMUNICATIONS AND  
INFORMATION SYSTEMS

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<p>1. Purpose</p>	<p>The Marple Newtown School District (“School District”) provides employees, students, and Guests (“Users”) with hardware, software, and access to the School District’s Computers,<sup>1</sup> Electronic Communication Systems and network, which include Internet access, whether wired, wireless, cellular, virtual, cloud, or by any other means.</p>

<sup>1</sup> See Definition section for the defined terms generally provided in initial capital letters throughout this Policy.

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<p>2. Definitions</p> <p>20 U.S.C. § 6777; 18 U.S.C. § 2256(8); 47 U.S.C. § 254(h)(7)(F)</p>	<p>Guests are Users that access the School District’s communications and information systems (“School District’s CIS systems), regardless of whether they are accessing the School District’s CIS systems through their personal devices or School District property. Guests may include, but are not limited to, visitors, workshop attendees, volunteers, adult education staff, exchange students, School Board Directors, independent contractors, vendors and School District consultants.</p> <p>Computers, logical and physical networks, the Internet, electronic communications, information systems, databases, files, software, peripherals, interactive devices, and media, collectively called CIS provide vast, diverse and unique resources. CIS may include School District Computers which are located or installed on School District property, at School District events, connected to the School District’s network, or when using its mobile computing equipment, telecommunication facilities in protected and unprotected areas or environments, directly from home, or indirectly through another Internet Service Provider (“ISP”), and if relevant, when Users bring and use their own personal Computers or personal electronic devices, and if relevant, when Users bring and use another entity’s Computer or electronic device to a School District location, or event, or connect it to the School District’s network. The School District will provide access to the Users of the School District’s CIS if there is a specific School District-related purpose to access information; to research; to collaborate; to facilitate learning and teaching; and/or to foster the Educational Purpose and mission of the School District.</p> <p>For Users, the School District’s CIS must be used for Educational Purposes and performance of School District job duties in compliance with this Policy, other School District policies, regulations, rules, and procedures, ISP and website terms, and local, state, and federal laws. For employees, Incidental Personal Use of the School District Computers is permitted as defined in this Policy. Students may only use the School District’s CIS for Educational Purposes and as permitted by School District policies, regulations, rules, and procedures.</p> <p><b>Child Pornography</b> – Under <i>federal</i> law, any Visual Depiction, including any photograph, film, video, picture, or Computer or Computer-generated image or picture, whether made or produced by electronic, mechanical, or other means, of sexually explicit conduct, where:</p> <ol style="list-style-type: none"><li>1. The production of such Visual Depiction involves the use of a Minor engaging in sexually explicit conduct;</li><li>2. Such Visual Depiction is a digital image, Computer image, or Computer-generated image that is, or is indistinguishable from, that of a Minor engaging in sexually explicit conduct; or</li><li>3. Such Visual Depiction has been created, adapted, or modified to appear that an identifiable Minor is engaging in sexually explicit conduct.</li></ol>
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<p>18 Pa.C.S.A. § 6312(d); 24 P.S. § 4603</p>	<p>Under <i>Pennsylvania</i> law, any person who intentionally views or knowingly possesses or controls any book, magazine, pamphlet, slide, photograph, film, videotape, Computer depiction or other material depicting a child under the age of eighteen (18) years engaging in a prohibited Sexual Act or in the simulation of such act is guilty of a felony of the third degree for their first offense, or guilty of a felony of the second degree for a second offense.</p>
<p>20 U.S.C. § 6777(e); 18 U.S.C. §2256(6); Policy #237 (Electronic Communication Devices)</p>	<p><b>Computer</b> – Includes any School District owned, leased or licensed or User-owned personal hardware, software, or other technology used on School District premises or at School District events, or connected to the School District network, containing School District programs or School District or student data (including images, files, and other information) attached or connected to, installed in, or otherwise used in connection with a Computer.</p> <p>Computer includes, but is not limited to, the School District’s, and Users’: desktop, notebook, PowerBook, tablet PC or laptop computers, servers, firewalls/security systems, distance learning equipment, videoconference units, printers, facsimile machine, cables, modems, and other peripherals; specialized electronic equipment used for students’ special educational purposes; RFID, and Global Positioning System (“GPS”) equipment; personal digital assistants (“PDAs”); iPods, MP3 players; USB/jump drives; iPads, Kindles, and other electronic readers; iPhones, cell phones, with or without Internet access and/or electronic mail and/or recording devices and/or camera/video and other capabilities and configurations, telephones, mobile phones, or wireless devices, two-way radios/telephones and other smartphones; beepers; paging devices, laser pointers and attachments; Pulse Pens; and any other such technology developed.</p> <p><b>Electronic Communications Systems</b>– Any messaging, collaboration, publishing, broadcast, or distribution system that depends on electronic communications resources to create, send, forward, reply to, transmit, store, hold, copy, download, display, view, read, or print electronic records for purposes of communication across electronic communications network systems between or among individuals or groups, that is either explicitly denoted as a system for electronic communications or is implicitly used for such purposes. Further, an Electronic Communications System means any wire, radio, electromagnetic, photo optical or photo electronic facilities for the transmission/transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature, wire or electronic communications, and any Computer facilities or related electronic equipment for the electronic storage of such communications.</p> <p>Examples include, without limitation, the Internet, intranet, electronic mail services, voicemail services, tweeting, text and instant messaging, social networking, GPS, facsimile machines, cell phones with or without Internet access and/or electronic mail and/or recording devices, cameras/video, and other capabilities and configurations.</p>



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<p>47 U.S.C. § 254(h)(7)(D); 20 U.S.C. §6777(e); 18 U.S.C. § 2256; 18 Pa.C.S.A. § 5903(e)</p>	<p>applicable School District policies, regulations, rules, procedures, and ISP and website terms, local, state, and federal laws, and must not damage the School District’s CIS.</p> <p><b>Minor</b> – For purposes of compliance with the federal Children’s Internet Protection Act (“CIPA”), an individual who has not yet attained the age of seventeen (17). For other purposes, Minor shall mean the age of minority as defined in the relevant law.</p>
<p>18 U.S.C. § 1460; 20 U.S.C. § 6777(e); 47 U.S.C. § 254(h)(7)(E)</p>	<p><b>Obscene</b> – Under <i>federal</i> law, analysis of the material meets the following elements:</p> <ol style="list-style-type: none"> <li>1. Whether the average person, applying contemporary community standards, would find that the material, taken as a whole, appeals to the prurient interest;</li> <li>2. Whether the work depicts or describes, in a patently offensive way, sexual conduct specifically designed by the applicable state or federal law to be Obscene; and</li> <li>3. Whether the work taken as a whole lacks serious literary, artistic, political, educational, or scientific value.</li> </ol>
<p>18 Pa.C.S.A. § 5903(b); 24 P.S. § 4603</p>	<p>Under <i>Pennsylvania</i> law, any material or performance if:</p> <ol style="list-style-type: none"> <li>1. The average person, applying contemporary community standards, would find that the material, taken as a whole, appeals to the prurient interest;</li> <li>2. The subject matter depicts or describes in a patently offensive way, Sexual Conduct described in the law to be Obscene; and</li> <li>3. The subject matter, taken as a whole lacks serious literary, artistic, political, educational or scientific value.</li> </ol>
<p>18 Pa.C.S.A. § 5903(e)(3); 18 U.S.C. § 2246; 20 U.S.C. § 6777(e); 47 U.S.C. § 254(h)(7)(H)</p>	<p><b>Sexual Act and Sexual Contact</b> – As defined at 18 U.S.C. § 2246(2), and at 18 U.S.C. § 2246(3), 18 Pa.C.S.A. § 5903.</p>
<p>47 U.S.C. § 254(H)(&amp;)(I); 24 P.S. § 4606</p>	<p><b>Technology Protection Measure(s)</b> – A specific technology that blocks or filters Internet access to Visual Depictions that are Obscene, Child Pornographic or Harmful to Minors.</p>
<p>18 Pa.C.S.A.</p>	<p><b>Visual Depictions</b> – Undeveloped film and videotape and data stored on Computer disk</p>

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<p>§ 2256; 18 U.S.C. § 1460(b)</p> <p>3. Authority</p> <p>47 U.S.C. § 254(l); 24 P.S. § 510; 24 P.S. § 4604</p>	<p>or by electronic means which is capable of conversion into a visual image, and data which is capable of conversion into a visual image that has been transmitted by any means, whether or not stored in a permanent format, but does not include mere words.</p> <p>Access to the School District’s CIS systems through school resources is a privilege, not a right. These, as well as the User accounts and information, are the property of the School District, which reserves the right to deny access to prevent unauthorized, inappropriate or illegal activity, and may revoke those privileges and/or administer appropriate disciplinary action. The School District will cooperate to the extent appropriate with social media sites, other educational entities, ISPs and websites terms, and local, state and federal officials in any investigation concerning or related to the misuse of the School District’s CIS, or other legal requests, whether criminal or civil actions.</p> <p>It is often necessary to access Users’ School District accounts in order to perform routine maintenance, security tasks, and for other legal reasons. System administrators have the right to access by interception, and to access the stored communication of Users’ accounts for any reason in order to uphold this Policy, regulations, rules, procedures, the law, and to maintain the system. Users should have no privacy expectations in the contents of their personal files or any of their use of the School District’s CIS. <b>USERS SHOULD HAVE NO EXPECTATION OF PRIVACY IN ANYTHING THEY CREATE, STORE, SEND, RECEIVE, OR DISPLAY ON OR OVER THE SCHOOL DISTRICT’S CIS SYSTEMS, AND THE SCHOOL DISTRICT’S AUTHORIZED THIRD PARTIES’ SYSTEMS, INCLUDING THEIR PERSONAL FILES OR ANY OF THEIR USE OF THESE SYSTEMS. The School District reserves the right to access, view, record, check, receive, monitor, track, log, store, modify, forward and otherwise inspect and utilize any or all files, programs, data, communications and any other materials created, stored, displayed, viewed,, sent, received, or otherwise used on or over the School District’s CIS, and/or authorized third parties’ systems and to monitor and allocate fileserver space. Users of the School District’s CIS and third party systems, who transmit or receive communications and information shall be deemed to have consented to having the content of any such communication accessed, viewed, recorded, checked, received, monitored, tracked, logged, stored, and otherwise inspected or utilized by the School District. Passwords and message delete functions do not restrict the School District’s ability or right to access such communications or information.</b></p> <p>The School District reserves the right to restrict access to the School District’s CIS by any device, personal or School District provided, as the School District deems appropriate. Also, the School District reserves the right to restrict access to any Internet sites or functions it may deem inappropriate through general policy, software blocking or online server blocking. Specifically, the School District operates and enforces Technology Protection Measure(s) that block or filter online activities of Minors on its Computers used and accessible to adults and students so as to filter or block</p>
<p>20 U.S.C. § 6777(c); 47 U.S.C. § 254; 24 P.S. § 4610</p>	<p>The School District reserves the right to restrict access to the School District’s CIS by any device, personal or School District provided, as the School District deems appropriate. Also, the School District reserves the right to restrict access to any Internet sites or functions it may deem inappropriate through general policy, software blocking or online server blocking. Specifically, the School District operates and enforces Technology Protection Measure(s) that block or filter online activities of Minors on its Computers used and accessible to adults and students so as to filter or block</p>

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20 U.S.C. §  
6777(c); 24 P.S. §  
4610

Inappropriate Matter on the Internet as defined in this Policy. Measures designed to restrict adults' and Minors' access to material Harmful to Minors may be disabled to enable an adult's access or made less restrictive for a student (who has provided written consent from a parent or guardian) to access *bona fide* research not within the prohibitions of this Policy, or for another lawful purpose. No person may have access to material that is illegal under federal or state law.

Expedited review and resolution of a claim that this Policy is denying a student or adult to access material will be enforced by an administrator, supervisor, or their designee, upon the receipt of written consent from a parent or guardian for a student, and upon the written request from an adult presented to the Director of Technology.

The School District has the right, but not the duty, to inspect, review, or retain electronic communication created, sent, displayed, received or stored on and over the School District's CIS systems and to monitor (electronic or otherwise), record, check, track, log, access or otherwise inspect the School District's CIS.

The above applies no matter where the use occurs whether brought onto School District property, to School District events, or connected to the School District network, or when using mobile computing equipment and telecommunications facilities in protected or unprotected areas or environments, directly from home, or indirectly through another social media or ISP, as well as by other means. All actions must assist in the protection of the School District's resources, insure compliance with this Policy, or other School District policies, regulations, rules, and procedures, social media, ISP and websites terms, or local, state, and federal laws.

The School District reserves the right to restrict or limit usage of lower priority School District CIS and Computer uses when network and computing requirements exceed available capacity according to the following priorities:

1. Highest – uses that directly supports the education of the students.
2. Medium – uses that indirectly benefit the education of the students.
3. Lowest – uses that include reasonable and limited educationally-related employee interpersonal communications and employee limited Incidental Personal Use.

The School District additionally reserves the right to:

1. Determine which services of the School District's CIS will be provided through School District resources.
2. Determine the types of files that may be stored on School District file servers and Computers.

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	<ol style="list-style-type: none"> <li>3. View and monitor network traffic, fileserver space, processor, and system utilization, and all applications provided through the network and Electronic Communications Systems, including e-mail, text message, and other electronic communications.</li> <li>4. Remove excess e-mail and other Electronic Communications or files taking up an inordinate amount of fileserver disk space after a reasonable time.</li> <li>5. Revoke User privileges, remove User accounts, or refer to legal authorities, when violation of this or any other applicable School District policy, regulation, rule, and/or procedure occurs or when ISP and website terms, state or federal law is violated, including, but not limited to, those governing network use, copyright, security, privacy, employment, social media, vendor access, data breach, and destruction of School District resources and equipment.</li> </ol>
<p>4. Responsibility</p>	<p>Due to the nature of the Internet as a global network connecting thousands of Computers around the world, Inappropriate Matter may be accessed through Electronic Communication Systems. Because of the nature of the technology that allows the Internet to operate, the School District cannot completely block access to these resources and therefore, it is the User’s responsibility to be diligent in insuring appropriate access and use of the School District’s CIS in accordance with School District policies. Accessing these and similar types of resources may be considered an unacceptable use of School District resources and will be considered a violation of this policy.</p> <p>All Users must review this policy and sign the School District’s <i>Acknowledgement and Consent Form(s)</i>. If Users have questions or concerns about this policy or its applicability, they should contact the Superintendent.</p> <p>Employees must be capable and able to use the School District’s CIS and software relevant to the employee’s responsibilities. In addition, Users must practice proper etiquette, School District ethics, and agree to the requirements of this Policy.</p>
<p>5. Delegation of Responsibility</p>	<p>The School District intends to strictly protect the School District’s CIS against numerous outside and internal risks and vulnerabilities. Users are important and critical players in protecting these School District assets and in lessening the risks that can destroy these important and critical assets. Consequently, Users are required to fully comply with this Policy and its accompanying administrative regulations as well as all other relevant MNSD policies, administrative regulations, rules, procedures, social media terms of use and other legal documents, and local, state and federal laws.</p> <p>The Director of Technology, and/or designee, may serve as the coordinator to oversee the School District’s CIS and will work with other regional or state organizations as necessary, to educate Users, approve activities, provide leadership for proper training for all Users in the use of the School District’s CIS and the requirements of this Policy,</p>



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<p>47 U.S.C. § 254 (5)(B)(iii); Policy 249; 24 P.S. § 1303.1-A</p>	<p>other School District policies, regulations, rules, and procedures, establish a system to insure adequate supervision of the School District's CIS, maintain executed <i>User Acknowledgement and Consent Forms</i>, and interpret and enforce this Policy, other relevant School District policies, regulations, rules, and procedures.</p> <p>The Director of Technology will establish a process for setting-up individual and class accounts, set quotas for usage on the system, establish a Records Retention and Records Destruction Policy and a Records Retention Schedule to include electronically stored information, and establish the School District virus protection process.</p> <p>Unless otherwise denied for cause, student access to the School District's CIS must be through supervision by professional employees. Administrators, teachers and staff have the responsibility to work together to help students develop the skills and judgment required to make effective and appropriate use of the resources. All Users have the responsibility to respect the rights of all other Users within the School District and the School District's CIS systems, and to abide by the policies, regulations, rules and procedures established by the School District, ISP and website terms, and local, state and federal laws.</p> <p>The Director of Technology, and/or designee, has the responsibility to educate Minors about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyberbullying awareness and response.</p> <p>If necessary, the Superintendent is granted the authority to create and enforce an administrative regulation(s) to accompany this Policy.</p>
<p>6. Guidelines</p>	<p><u>Access to the School District's CIS</u></p> <p>An account may be made available according to a procedure developed by appropriate School District authorities.</p> <p>The School District's CIS accounts of Users must be used only by authorized owners of the accounts and only for authorized purposes.</p> <p>Types of Services include, but are not limited to:</p> <ol style="list-style-type: none"> <li>1. <u>Internet</u> - School District employees, students, and Guests will have access to the Internet through the School District's CIS, as needed.</li> <li>2. <u>E-Mail and Text Messaging</u> - School District employees may be assigned individual e-mail and text messaging accounts for work-related use and Incidental Personal Use, as defined in this Policy. Students may be assigned individual e-mail accounts, as necessary, by the Director of Technology, and/or designee, at the recommendation of the teacher who will also supervise the students' use of the e-mail</li> </ol>

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service. Students and Guests may not be assigned text message accounts.

3. Guest Accounts - Guests may receive an individual Internet account with the approval of the Director of Technology, and/or designee, if there is a specific School District-related purpose requiring such access. Use of the School District's CIS by a Guest must be specifically limited to the School District-related purpose and comply with this Policy, and all other School District policies (including the Vendor Access Policy), regulations, rules, and procedures, as well as ISPs and websites terms, local, state and federal laws, and may not damage the School District's CIS. A School District *Acknowledgement and Consent Form* must be signed in writing or electronically by a Guest, and if the Guest is a Minor, a parent's signature also is required.

4. Blogs - Employees may be permitted to have School District-sponsored blogs, after they receive training, agree to comply with the Social Media Policy and Social Media Administrative Regulation, and the approval of the Director of Technology. All bloggers must follow the rules provided in this Policy, and all other applicable policies (for example, the School District's Social Media Policy), regulations (for example, the School District's Social Media Administrative Regulations), rules, and procedures of the School District, ISPs and websites terms, and local, state, and federal laws.

5. Web 2.0 Second Generation and Web 3.0 Third Generation Web-based Services - Certain School District-authorized Second Generation and Third Generation Web-based services, such as, authorized social media sites, wikis, RSS feeds, social software, educational games, folksonomies, course management systems, and collaboration tools that emphasize online participatory learning (where Users share ideas, comment on one another's project, plan, design, or implement, advance or discuss practices, goals, and ideas together, co-create, collaborate and share) among Users may be permitted by the School District; however, such use must be approved by the Superintendent, and/or designee, followed by training authorized by the School District, and Users must agree and comply with this Policy, as well as any other relevant policies (including the School District's Social Media Policy), regulations (for example, the School District's Social Media Administrative Regulations), rules, and procedures including the copyright, ISP and website terms, and local, state, and federal laws.

Parental Notification and Responsibility

The School District will notify parents/guardians about the School District CIS systems and the policies, regulations, rules, and procedures governing their use. This Policy contains restrictions on accessing Inappropriate Matter. There is a wide range of material available on the Internet, some of which may not be fitting with the particular values of the families of the students. It is not practically possible for the School District to monitor and enforce a wide range of social values in student use of the Internet. Further, the School District recognizes that parents and guardians bear primary responsibility for transmitting their particular set of family values to their children. The School District will encourage parents/guardians to specify to their child(ren) what

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<p>Policy # 237 (Electronic Communication Devices)</p>	<p>material is and is not acceptable for their child(ren) to access through the School District's CIS. Parents/Guardians are responsible to help monitor their child(ren)'s use of the School District's CIS when they are accessing the system.</p> <p><u>School District Limitation of Liability</u></p> <p>The School District makes no warranties of any kind, either expressed or implied, that the functions or the services provided by or through the School District's CIS will be error-free or without defect. The School District does not warrant the effectiveness of Internet filtering. The electronic information available to Users does not imply endorsement of the content by the School District, nor is the School District responsible for the accuracy or quality of the information obtained through or stored on the School District's CIS. The School District will not be responsible for any damage Users may suffer, including but not limited to, information that may be lost, damaged, delayed, misdelivered, or unavailable when using the Computers, network and Electronic Communications Systems. The School District will not be responsible for material that is retrieved through the Internet, or the consequences that may result from them. The School District will not be responsible for any unauthorized financial obligations, charges or fees resulting from access to the School District's CIS. In no event will the School District be liable to the User for any damages whether direct, indirect, special or consequential, arising out their use of the School District's CIS.</p> <p><u>Student Use of Electronic Communication Devices</u></p> <p>The possession and Silent Use<sup>2</sup> of Electronic Communication Devices, including Personal Electronic Communication Devices, by School District students when in compliance with the Electronic Communication Devices Policy # 237, other School District policies, regulations, rules, and procedures, ISP and websites' terms, and local, state, and federal laws, and supportive of the educational program of the School District, is permitted. However, the possession and use of Electronic Communication Devices, including Personal Electronic Communication Devices, by students that are found to be disruptive to the educational process and/or environment can be abusive in ways that negatively affect students, employees, and the School District's mission and environment, and therefore, they are prohibited in accordance with this Policy, other School District policies, regulations, rules and procedures, ISP and website terms, and local, state, and federal laws.</p> <p><u>Prohibitions</u></p> <p>Users may not use their personal computers, devices, services, systems, and networks at any time during which they are required to be fulfilling their work, learning, school</p>
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<sup>2</sup> See Definition section of the Electronic Communication Devices Policy #237 for the defined terms relevant to Electronic Communication Devices and Personal Electronic Communication Devices.

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responsibilities, or volunteer requirements, unless approved by the School District.

The use of the School District's CIS for illegal, inappropriate, unacceptable, or unethical purposes by Users is prohibited. Such activities engaged in by Users are strictly prohibited and illustrated below. The School District reserves the right to determine if any activity not appearing in the list below constitutes an unacceptable use of the School District's CIS.

These prohibitions are in effect any time School District resources are accessed whether on School District property, at School District events, while connected to the School District's network, when using mobile computing equipment, telecommunication facilities in protected and unprotected areas or environments, directly from home, or indirectly through another ISP, and if relevant, when an employee or student uses their own or another entity's equipment.

Users are prohibited from using School District's CIS to:

1. Communicate about non-work or non-school related matters unless the employees' use comports with the definition of Incidental Personal Use in this Policy.
2. Send, receive, view, download, store, access, print, post, distribute, or transmit material that is Harmful to Minors, indecent, Obscene, pornographic, Child Pornographic, terroristic, sexually explicit, sexually suggestive. This includes but is not limited to, Visual Depictions. Examples include, taking, disseminating, transferring, or sharing Obscene, pornographic, lewd, or otherwise illegal images or photographs, whether by electronic data transfer or otherwise (such as, sexting, e-mailing, texting, among others). Nor may Users advocate the destruction of property.
3. Send, receive, view, download, upload, store, access, print, distribute, or transmit Inappropriate Matter as defined in this Policy, and material likely to be offensive or objectionable to recipients.
4. Cyberbully another individual or entity.
5. Access or transmit gambling information or promote or participate in pools for money, including but not limited to, basketball and football, or any other betting or games of chance.
6. Participate in discussion or news groups that cover inappropriate and/or objectionable topics or materials, including those that conform to the definition of Inappropriate Matter in this Policy.
7. Send terroristic threats, hateful mail, harassing communications, discriminatory remarks, and offensive or inflammatory communications.
8. Participate in unauthorized Internet Relay Chats, instant messaging communications

24 P.S. §13-1301.1-A; Policy # 249; 47 U.S.C. § 254 (5)(B)(iii);

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<p>24 P.S. § 1303.1-A</p>	<p>and Internet voice communications (online; real-time conversations) that are not for school-related purposes or required for employees to perform their job duties. Students must obtain consent from their teacher to use IRC's, however they may not use instant messaging or text messaging.</p> <p>9. Use in an illegal manner or to facilitate any illegal activity.</p> <p>10. Use of email to mass mail non-educational or non-work related information is expressly prohibited (for example, the use of the "everyone" distribution list, all staff lists, building level distribution lists, or other e-mail distributions lists to offer personal items for sale is prohibited).</p> <p>11. Engage in commercial, for-profit, or any business purposes (except where such activities are otherwise permitted or authorized under applicable School District policies); conduct unauthorized fund raising or advertising on behalf of the School District and non-School District organizations; engage in the unapproved resale of School District Computer resources to individuals or organizations; or use the School District's name in any unauthorized manner that would reflect negatively on the School District, its employees, or students. <i>Commercial purposes</i> are defined as offering or providing goods or services or purchasing goods or services for personal use. School District acquisition policies will be followed for School District purchase of goods or supplies through the School District system.</p> <p>12. Engaging in unlawful political lobbying.</p>
<p>Policy # 814</p>	<p>13. Install, distribute, reproduce or use unauthorized copyrighted software on School District Computers, or copy School District software to unauthorized Computer systems, intentionally infringing upon the intellectual property rights of others or violating a copyright. See Copyright Infringement section in this Policy, the School District's Copyright Policy #814.</p> <p>14. Install Computer hardware, peripheral devices, network hardware or system hardware. The authority to install hardware or devices on School District Computers is restricted to the Director of Technology, and/or designee.</p> <p>15. Encrypt messages using encryption software that is not authorized by the School District from any access point on School District equipment or School District property. Users must use School District approved encryption to protect the confidentiality of sensitive or critical information in the School District's approved manner.</p> <p>16. Access, interfere, possess, or distribute confidential or private information without permission of the School District's administration. An example includes accessing other students' accounts to obtain their grades, or accessing other employees' accounts to obtain information.</p>

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17. Violate the privacy or security of electronic information.
  18. Send any School District information to another party, except in the ordinary course of business as necessary or appropriate for the advancement of the School District's business, or educational interest.
  19. Send unsolicited commercial electronic mail messages, also known as spam.
  20. Post personal or professional web pages on the School District's website without administrative approval.
  21. Post anonymous messages.
  22. Use the name of the "Marple Newtown School District," and its logos or marks, in any form in Social Media, on School District Internet pages or websites, on websites not owned or related to the School District, or in forums/discussion boards, to express or imply the official position of the Marple Newtown School District without the expressed, written permission of the Superintendent, and/or designee. When such permission is granted, the posting must state that the statement does not represent the position of the School District.
  23. Bypass or attempt to bypass Internet filtering software by any method including, but not limited to, the use of anonymizers/proxies, SSH terminals, or any websites that mask the content the User is accessing or attempting to access.
  24. Advocate illegal drug use, whether expressed or through a latent pro-drug message. This does not include a restriction of political or social commentary on issues, such as the wisdom of the war on drugs or medicinal use.
  25. Attempt to or obtain personal information under false pretenses with the intent to defraud another person.
  26. Use location devices to invade a person's privacy or to harm or put another person in jeopardy.
  27. Plagiarize works that are found on the Internet. Plagiarism is taking the ideas or writings of others and presenting them as they were yours.
  28. Post false statements, or steal the identity of another person.
- This list is not intended to be exhaustive and Users must adhere to all provisions of this policy.
- Access and Security Prohibitions –*
- Users must immediately notify the Director of Technology if they have identified a

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Policy #830	<p>possible security problem with the School District's CIS. The following activities related to access to the School District's CIS, and information are prohibited:</p> <ol style="list-style-type: none"><li>1. Misrepresentation (including forgery) of the identity of a sender or source of communication.</li><li>2. Acquiring or attempting to acquire User IDs and passwords of another, or giving your password to another. Users are required to use unique strong passwords that comply with the School District's password, authentication, and syntax requirements. Users will be held responsible for the result of any misuse of Users' names or passwords while the Users' systems access were left unattended and accessible to others, whether intentional or through negligence.</li><li>3. Using or attempting to use Computer accounts of others. These actions are illegal, even with consent, or if only for the purpose of "browsing".</li><li>4. Altering a communication originally received from another person or Computer with the intent to deceive.</li><li>5. Using School District resources to engage in any illegal act, which may threaten the health, safety or welfare of any person or persons. Such acts would include, but are not limited to, arranging for a drug sale or the illegal purchase of alcohol, engaging in criminal activity, or being involved in a terroristic threat against any person or property.</li><li>6. Disabling or circumventing any School District security, program or device, for example, but not limited to, anti-spyware, anti-spam software, and virus protection software or procedures.</li><li>7. Transmitting electronic communications anonymously or under an alias unless authorized by the School District.</li><li>8. Accessing any website that the School District has filtered or blocked as unauthorized. Examples include, but are not limited to, unauthorized social media, music and video download, and gaming sites.</li><li>9. Installing or attaching key logging devices, key logging mechanisms, or key logging software of any kind.</li></ol> <p>This list is not intended to be exhaustive and Users must adhere to all provisions of this policy. The School District reserves the right to prohibit additional activities related to the access of the School District's CIS.</p> <p>Users must protect and secure all electronic resources and information, data and records of the School District from theft and inadvertent disclosure to unauthorized individuals or entities at all times. If any User becomes aware of the release of School District information, data or records, the release must be reported to the Director of Technology</p>
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Policy #830	<p>immediately. See the School District’s Data Breach Notification Policy #830 for further information.</p> <p><i>Operational Prohibitions –</i></p> <p>The following operational activities and behaviors are prohibited:</p> <ol style="list-style-type: none"><li>1. Interference with, infiltration into, or disruption of the School District’s CIS, network accounts, services, or equipment of others, including, but not limited to, the propagation of Computer “worms” and “viruses”, Trojan Horse trapdoor, robot, spider, crawler, program code, the sending of electronic chain mail, distasteful jokes, and the inappropriate sending of “broadcast” messages to large numbers of individuals or hosts. Users may not hack or crack the network or others’ Computers, whether by malware or spyware designed to steal information, or viruses and worms or other hardware or software designed to damage the School District’s CIS, or the system of others, or any component of the network, or strip or harvest information, or completely take over a person’s Computer, or to “look around”. See Policy #830 Data Breach Notification Policy.</li><li>2. Altering or attempting to alter files, system security software or the systems without authorization.</li><li>3. Unauthorized scanning of the School District’s CIS for security vulnerabilities.</li><li>4. Attempting to alter any School District computing or networking components (including, but not limited to, file servers, bridges, routers, or hubs) without authorization or beyond one’s level of authorization.</li><li>5. Unauthorized wiring, including attempts to create unauthorized network connections, or any unauthorized extension or re-transmission of any Computer, Electronic Communications Systems, or network services, whether wired, wireless, cable, virtual, cloud, cellular, or by other means.</li><li>6. Connecting unauthorized hardware and devices to the School District’s CIS.</li><li>7. Loading, downloading, or use of unauthorized games, programs, files, or other electronic media, including, but is not limited to, downloading unauthorized music and video files.</li><li>8. Intentionally damaging or destroying the integrity of the School District’s electronic information.</li><li>9. Intentionally destroying the School District’s Computer hardware or software.</li><li>10. Intentionally disrupting the use of the School District’s CIS.</li></ol>
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11. Damaging the School District's Computers, CIS, or networking equipment through the Users' negligence or deliberate act, including but not limited to vandalism.

12. Failing to comply with requests from appropriate teachers or School District administrators to discontinue activities that threaten the operation or integrity of the School District's CIS.

This list is not intended to be exhaustive and Users must adhere to all provisions of this policy. The School District reserves the right to prohibit additional activities related to the access of the School District's CIS.

Content Guidelines

Information electronically published on the School District's CIS shall be subject to the following guidelines:

1. Published documents, including but not limited to audio and video clips or conferences, may not include a User's date of birth, Social Security number, driver's license number, financial information, credit card number, health information, phone number(s), street address, or box number, name (other than first name) or the names of other family members without the consent of the User, and if relevant parent or guardian.
2. Documents, web pages, electronic communications, or videoconferences may not include personally identifiable information that indicates the physical location of a student at a given time without parent or guardian consent when it can be harmful.
3. Documents, web pages, electronic communications, or videoconferences may not contain objectionable materials or point directly or indirectly to objectionable materials.
4. Documents, web pages and electronic communications, must conform to all School District policies, regulations, rules, and procedures.
5. Documents to be published on the Internet by Users when they are under the supervision of the School District must be edited and approved according to School District policies, regulations, rules, and procedures before publication.

The School District reserves the right to establish and add content guidelines as necessary.

Due Process

If students or employees possess due process rights for discipline resulting from the violation of this Policy, they will be provided such rights.

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Search and Seizure

Users' violations of this Policy, any other School District policy, regulation, rule, or procedure, ISPs' and websites' terms, or the law may be discovered by routine maintenance and monitoring of the School District CIS, or any method stated in this Policy, or pursuant to any legal means.

The School District reserves the right, but not the duty, to inspect, review, or retain electronic communications created, sent, displayed, received, or stored on or over its CIS; to monitor, track, log, access, or otherwise inspect; and/or report all aspects of the School District's CIS. This includes items related to any personal Computers, network, Internet, Electronic Communication Systems, databases, files, software, and media that individuals may bring onto the School District's property, or to the School District events, that were connected to the School District's network, and/or that contain School District programs, or School District or Users' data and information, in order to insure compliance with this Policy, other School District policies, regulations, rules, and procedures ISP and website terms, and local, state, and federal laws to protect the School District's resources, and to comply with the law.

**USERS SHOULD HAVE NO EXPECTATION OF PRIVACY IN ANYTHING THEY CREATE, STORE, SEND, RECEIVE, OR DISPLAY ON OR OVER THE SCHOOL DISTRICT'S CIS SYSTEMS, AND THE SCHOOL DISTRICT'S AUTHORIZED THIRD PARTIES' SYSTEMS, INCLUDING THEIR PERSONAL FILES OR ANY OF THEIR USE OF THESE SYSTEMS. The School District reserves the right to access, view, record, check, receive, monitor, track, log, store, and otherwise inspect and utilize any or all of the School District's CIS and authorized third parties' and third parties systems and to monitor and allocate fileserver space.**

Everything that Users place in their personal files should be entered with the knowledge and understanding that it is subject to review by a third party.

Copyright Infringement and Plagiarism

Federal laws, cases, policies, regulations, and guidelines pertaining to copyrights will govern the use of material accessed through the School District resources. Users must make a standard practice of requesting permission from the holder of the work, or complying with the Fair Use Doctrine, and/or complying with license agreements. Employees will instruct Users to respect copyrights, request permission when appropriate, and to comply with the Fair Use Doctrine, and/or license agreements. Employees will respect and comply as well.

Violations of copyright law can be a felony and the law allows a court to hold individuals personally responsible for infringing the law. The School District does not permit illegal acts pertaining to the copyright law. Therefore, any User violating the

17 U.S.C. § 101  
et seq.; Policy #  
814

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<p>17 U.S.C. § 1202</p>	<p>copyright law does so at his/her own risk and assumes all liability.</p> <p>Violations of copyright law include, but are not limited to, making unauthorized copies of any copyrighted material (such as commercial software, text, graphic images, audio and video recording), distributing copyrighted materials over Computer networks, remixing or preparing mash-ups that violate the law, and deep-linking and framing into the content of others' websites. Further, the illegal installation of copyrighted software or files for use on the School District's Computers is expressly prohibited. This includes all forms of unlicensed software – shrink-wrap, click wrap, browse wrap, and electronic software downloaded from the Internet.</p> <p>No one may circumvent a Technology Protection Measure that controls access to a protected work unless they are permitted to do so by law. No one may manufacture, import, offer to the public, or otherwise traffic in any technology, product, service, device, component or part that is produced or marketed to circumvent a technology protection measure to control access to a copyright protected work.</p> <p>School District guidance on plagiarism will govern use of material accessed through the School District's CIS. Users must not plagiarize works that they find. Teachers will instruct students in appropriate research and citation practices. Users understand that use of the School District's CIS may involve the School District's use of plagiarism analysis software being applied to their works.</p> <p><u>Selection of Material</u></p> <p>School District policies, regulations, rules, and procedures on the selection of materials will govern use of the School District's CIS.</p> <p>When using the Internet for class activities, teachers will select material that is appropriate in light of the age of the students and that is relevant to the course objectives. Teachers must preview the materials and websites they require or recommend that students' access to determine the appropriateness of the material contained on or accessed through the website. Teachers must provide guidelines and lists of resources to assist their students in channeling their research activities effectively and properly. Teachers will assist their students in developing the critical thinking skills necessary to ascertain the truthfulness of information, distinguish fact from opinion, and engage in discussions about controversial issues while demonstrating tolerance and respect for those who hold divergent views.</p> <p><u>School District Website</u></p> <p>The School District has established and maintains a website and will develop and modify its web pages that will present information about the School District under the direction of the Director of Technology, and/or designee. Publishers must comply with this Policy, other School District policies, regulations, rules, procedures, ISP and</p>
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<p>17 U.S.C. § 512</p>	<p>website terms, and local, state, and federal laws.</p> <p>The School District may limit its liability by complying with the Digital Millennium Copyright Act’s safe harbor notice and takedown provisions.</p> <p><u>Blogging</u></p> <p>If an employee, student or Guest creates a blog with their own resources and on their own time, the employee, student, or Guest may not violate the privacy rights of employees and students, may not use School District personal and private information/data, images, equipment, resources, and infringed copyrighted material in their blog, and may not disrupt the School District. See also the School District’s Social Media Policy, and its accompanying Social Media Administrative Regulations.</p> <p>Contrary conduct will be considered a violation of this policy.</p> <p><u>Safety and Privacy</u></p>
<p>47 U.S.C. § 254</p>	<p>To the extent legally required, Users of the School District’s CIS will be protected from harassment or commercially unsolicited electronic communication. Any User who receives threatening or unwelcome communications must immediately provide or show them to the Director of Technology.</p>
<p>47 U.S.C. §254; 18 Pa.C.S.A. § 5703</p>	<p>Users must not post unauthorized personal contact information about themselves or other people on the School District’s CIS. Users may not steal another’s identity in any way, may not use spyware, robots, malware, cookies, or other program code, key loggers, and may not use School District or personal technology or resources in any way to invade another’s privacy. Additionally, Users may not disclose, use or disseminate confidential and personal information about students or employees, unless legitimately authorized to do so. Examples include, but are not limited to, revealing biometric data, student grades, Social Security numbers, dates of birth, home addresses, telephone numbers, school addresses, work addresses, credit card numbers, health and financial information, evaluations, psychological reports, educational records, reports, and resumes or other information relevant to seeking employment at the School District, unless legitimately authorized to do so.</p> <p>If the School District requires that data and information be encrypted, Users must use School District authorized encryption to protect their security.</p> <p>Student Users, by their use of the School District’s CIS, agree not to meet with someone they have met online via the School District’s CIS, unless they have parent(s)/guardian(s) consent.</p> <p><u>Cloud, Virtual, and Online Storage of School District Information and Data</u></p> <p>Users must keep all School District (including but not limited to personally identifiable,</p>

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confidential, and sensitive employee and student) information and data in the School District's and its contracted parties' storage, unless permission is granted in writing by the Superintendent, and/or designee, or authorized by School District policy, regulation, rule, or procedure. This means that Users must not place School District information in a public or private cloud, virtual, or online storage beyond the control, access, protection, and safety of the School District, unless specific permission is granted in writing by the Superintendent, and/or designee. Users agree to protect the privacy and security of School District information and data.

Consequences for Inappropriate, Unauthorized and Illegal Use

General rules for behavior, ethics, and communications apply when using the School District's CIS and information, in addition to the stipulations of this Policy, other School District policies, regulations, rules, and procedures, ISPs and websites terms, and local, state, and federal laws. Users must be aware that violations of this Policy or other School District policies, regulations, rules, and procedures, ISPs and website terms, and local, state, and federal laws, or for unlawful use of the School District's CIS, may result in loss of access to the School District's CIS and a variety of other disciplinary actions, including but not limited to, warnings, usage restrictions, loss of privileges, position reassignment, oral or written reprimands, student suspensions, suspensions (with or without pay for employees), dismissal, expulsions, breach of contract, penalties provided in statutes, regulations, and other laws, and/or legal proceedings. This will be handled on a case-by-case basis. This Policy incorporates all other relevant School District policies, such as, but not limited to, the student and professional employee discipline policies, Code of Student Conduct, copyright, social media, data breach, property, curriculum, terroristic threat, vendor access, student electronic devices, harassment and discrimination policies.

The User is responsible for damages to Computers, the network, equipment, Electronic Communications Systems, and software resulting from accidental, negligent, deliberate, and willful acts. Users will also be responsible for incidental or unintended damage resulting from negligent, willful or deliberate violations of this Policy, other School District-related policies, regulations, rules, and procedures, ISP and website terms, and local, state, and federal laws. For example, Users will be responsible for payments related to lost or stolen Computers and/or School District equipment, and recovery and/or breach of the information and/or data contained on them.

Violations as described in this Policy, other School District policies, regulations, rules, and procedures may be reported to a School District, appropriate legal authorities, whether the ISP or website, local, state, or federal law enforcement. Actions that constitute a crime under state and/or federal law could result in arrest, criminal prosecution, and/or lifetime inclusion on sexual offenders' registries. The School District will cooperate to the extent legally required with authorities in all such investigations.

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Vandalism will result in cancellation of access to the School District's CIS and resources and the User is subject to discipline.

Any and all costs incurred by the School District for repairs and/or replacement of software, hardware and data files and for technological consultant services due to any violation of this Policy, other School District policies, regulations, rules, and procedures, or ISP or website terms, or, local, state, or federal law, must be paid by the User who caused the loss.

**References:**

PA Consolidated Statutes Annotated – 18 Pa. C.S.A. § 5903, 6312

PA Child Internet Protection Act – 24 P.S. § 4601 et seq.

PA Bullying Act – 24 P.S. § 13-1303.1-A

PA School Code – 24 P.S. § 1317.1

PA – 18 Pa. C.S.A. § 6312; 24 P.S. § 4603, 4604

U.S. Copyright Law – 17 U.S.C. § 101 et seq.

Digital Millennium Copyright Act 17 U.S.C. § 512, 1202

United States Code – 18 U.S.C. § 1460, 2246, 2252, 2256; 47 U.S.C. § 254

Enhancing Education Through Technology Act of 2001 – 20 U.S.C. § 6777

Federal Children's Internet Protection Act – 47 U.S.C. § 254

Board Policies, Administrative Regulations, Rules, and Procedures