

CHAPTER 6

6.13 Educational Purpose and Acceptable use of Electronic Resources, Technologies and the Internet (adopted 05/22/12)

6.13.1 Purpose

The appropriate use of technology and digital resources promotes positive and effective digital citizenship among students and staff. Successful, technologically fluent digital citizens live safely and civilly in an increasingly digital world and use technology responsibly. The promotion of acceptable use in instruction and educational activities is intended to provide a safe digital environment, as well as meet Federal Communications Commission (FCC) and E-rate guidelines.

6.13.2 Definitions

“Social Networking Website” shall mean any internet-based platform that enables users to create public and/or private profiles within that platform, and to communicate and socialize with other users of the same website, regardless of whether the websites are specific-interest-based websites, online discussion forums, chat rooms, instant messaging websites, videoconferencing websites, electronic messaging websites, blogs and other social spaces online. Two social networking websites, mentioned only by way of example, are Facebook and Myspace.

“School employee” shall mean any person engaged by the Marshall County Board of Education or RESA 6 or the West Virginia State Board of Education as an employee or independent contractor to perform any service.

“Teacher” shall have the same meaning as “professional educator” as defined in West Virginia Code §18A-1-1.

“Student” shall mean a public school student, in any grade from Kindergarten through grade 12, enrolled as a student in Doddridge County Schools or any other West Virginia county school system.

6.13.3 Filtering

The West Virginia Department of Education and Marshall County Schools shall apply filtering software to block or filter Internet access to pictures and materials that are inappropriate, obscene, contain pornography, or considered to be harmful or detrimental to the learning environment. Filtering software is not 100% effective, so every user shall take responsibility for his or her use of the network and Internet.

Any attempts to defeat or bypass the state or county Internet filter or conceal Internet activity are prohibited. This includes, but is not limited

to: proxies, https, special ports, software programs, or modifications to state browser settings and any other techniques designed to evade filtering or enable the publication of inappropriate content.

Email inconsistent with the education missions of the state, county or school will be considered SPAM and blocked from entering email boxes.

6.13.4 Acceptable Use

The use of the electronic resources, technologies and the Internet must be in support of education and consistent with the educational goals, objectives and priorities of the WVBE. Use of other networks or computing resources must comply with the rules appropriate for that network and for copyright compliance. Users must also be in compliance with the rules and regulations of the network provider(s) serving West Virginia counties and schools. Acceptable network use by students and staff includes the following:

- Creation of files, projects, videos, web pages and podcasts using network resources in support of student personalized academic learning and educational administration.
- Appropriate participation in school-sponsored blogs, wikis, web 2.0+ tools, social networking sites and online groups.
- Participation in school, county and state assessments.
- With parental permission, the online publication of original educational material, curriculum related materials and student work.
- Staff use of the network for incidental personal use in accordance with all county/school policies and guidelines.

6.13.5 Unacceptable Use

Students and staff are expected to use state, county, and school-owned technologies in accordance with the educational mission. Students and staff are encouraged to use county and school equipment whenever possible. Marshall County Schools' equipment that is used off site is subject to the same rules as when used on site. Unauthorized or unacceptable use of county, school, or personal technology devices may result in suspension or revocation of personal device privileges. These include, but are not limited to:

- using personal devices to gain or give an advantage in a testing situation;
- using personal devices during class that are not approved by the school or the individual teacher (e.g. cell phones, smart phones, tablets, digital cameras, MP3 players, iPads, iPods, laptops, etc.);

- downloading and installing district licensed software on personal devices unless specifically allowed by the licensing agreement;
- attaching unauthorized equipment or using personal devices to bypass filtering, circumvent network security, or in violation of the acceptable use standards which normally apply to district-owned technology;
- attaching unauthorized equipment or making unauthorized changes to the state backbone network;
- using personal devices for violations related to cyber bullying and harassment;
- illegally accessing or attempting to access another person's data or personal system files or unauthorized access to other state/county/school computers, networks and information systems;
- inappropriate use or transmission of any material in violation of any US or state law or regulation including, but not limited to, threatening, abusive, or obscene material, or material protected by trade secrets;
- plagiarism or reproducing/repurposing audio/video or written text without permission/consent or any other action that would be considered a copyright infringement;
- use for commercial activities by for-profit institutions;
- use for product advertisement or political lobbying, support or opposition for ballot measures, candidates and any other political activity;
- illegal activities and privacy and safety violations of COPPA, CIPA and FERPA;
- viewing, creating, accessing, uploading, downloading, storing, sending, or distributing, obscene, pornographic or sexually explicit material;
- downloading, uploading and/or executing viruses, worms, Trojan horses, time bombs, bots, malware, spyware, SPAM, etc., and changes to tools used to filter content or monitor hardware and software;
- using email and other electronic user IDs/passwords other than one's own;
- storing passwords in a file without encryption;
- using the "remember password" feature of Internet browsers and email clients;
- leaving the computer without locking the screen or logging off;
- corrupting, destroying, deleting, or manipulating system data with malicious intent;
- information posted, sent or stored online that could endanger others (e.g. bomb construction, drug manufacture, etc.);
- requesting that inappropriate material be transferred;

- violating safety and/or security measures when using email, chat rooms, blogs, wikis, social networking sites, Web 2.0 tools and other forms of electronic communications;
- hacking, cracking, or vandalizing technology equipment or data;
- cyber bullying, hate mail, defamation, harassment of any kind, discriminatory jokes and remarks and other unauthorized uses as reference in WVBE policies or other policies and laws;
- personal gain, commercial solicitation and compensation of any kind;
- any activity which results in liability or cost incurred by the county;
- downloading, installing and/or executing non-educational gaming, audio files, video files or other applications (including shareware or freeware) without permission or approval;
- uses related to or in support of illegal activities

At no time should a student be given administrative responsibilities for a server with a wide area network or Internet connection.

All information stored within school or work computers or servers is the property of the state, county or school, and the students/personnel using such computers/servers/networks have no expectation of privacy with respect to its contents, as well as any information transmitted or received in connection with networks, email use and web-based tools. The WVDE and Marshall County Schools board reserves the right to monitor, inspect, copy, review and store all usage of school computers and computer systems, including all Internet and electronic communications access and transmission/receipt of materials and information at any time and without notice. All material and information accessed/received through school computers and computer systems shall remain the property of the board. The WVDE and Marshall County Schools Board may also disclose any electronic message, files, media, etc., to law enforcement officials or third parties as appropriate.

No temporary accounts will be issued, nor will a student use an Internet account not specifically created for him or her that allows anonymous posting.

The system administrator and/or local teachers may deny users access for inappropriate use. Additionally, violation of use policies could result in loss of access, personal payment of fees incurred, employment discipline, licensure revocation and/or prosecution.

For reasons of privacy, employees may not attempt to gain access to another employee's files in the WVDE's information systems.

6.13.6 Email

The West Virginia Department of Education (WVDE) and approved service provider(s) can monitor only the e-mail accounts issued to the “access.k12.wv.us” server, which is administered by WVDE and approved provider(s). Non-“access.k12.wv.us” email accounts should not be used for school/educational purposes.

6.13.7 Web Publishing

The “official” county and school web sites may be administered by the county and school designated authority. Appropriate educational permission must be obtained for student web pages published with the WV public K-12 intranet and from a public K-12 site to the Internet. Housing community web sites on the county or school server will not be permitted.

Website content guidelines:

- be appropriate, in good taste, and not harmful to any individual or group;
- be grammatically correct, accurately spelled, and have a pleasing appearance;
- follow FERPA, state, county, and school regulations when using student pictures and names. Last names, home address, telephone number, mother’s maiden name should not be published;
- comply with WVBE policies and regulations;
- remain current, be accurate, and navigation through the site should be user friendly;
- restrict business/commercial links or the acknowledgment of a business to business partners and/or materials that are educational, provide technical support, or are germane to the philosophy of the county/school. Advertising of commercial offerings is forbidden.;
- comply with copyright, intellectual property, state federal and international law;
- include the permission granted statement for all copyrighted materials

6.13.8 Personal Electronic Devices

Students must follow school rules concerning having personal electronic devices on their person during the school day. Any personal device is subject to the same regulations as stated in this policy.

6.13.9 County Responsibilities

- Marshall County Schools shall have a county technology team and a comprehensive technology plan that is included as part of the Five-Year Online Strategic Plan.

- WV Policy 2520.4 (Next Generation Content Standards and Objectives) shall be included in all programs of study and at all grade levels.
- Marshall County Schools shall, whenever possible, make available facilities and technology to accommodate distance learning and access to virtual courses provided through the West Virginia Virtual School and approved course providers.
- Marshall County Schools shall, to the extent practicable and as funds and other resources are available, provide students, teachers, parents and citizens access to technology, in the public schools during non-school hours and in accordance with E-rate guidelines.
- Marshall County Schools shall provide professional development in the use of technology and its application in the teaching and learning process.
- Marshall County Schools shall provide adequate technology personnel to implement appropriate policies and manage networks to help ensure the safety of students and acceptable use of electronic resources, technologies and the Internet.
- In accordance with WV Code, school aid formula and local funding opportunities, Marshall County Schools shall provide support for schools to employ Technology Integration Specialists (TIS) and Technology Systems Specialist (TSS).

6.13.10 School Responsibilities

- Local School Improvement Councils (LSIC) shall include in the Five-Year Online Strategic Plan mechanisms to foster the use, to the extent practicable and as funds and other resources are available, of school facilities for the purpose of accessing technology, by students, teachers, parents and citizens during non-school hours and in accordance with E-rate guidelines.
- Each school shall have a school technology team and a comprehensive technology plan that is part of the Five-Year Online Strategic Plan. The Plan will include necessary professional development to enable teachers to incorporate technology into the classroom.
- WV Policy 2520.4 (Next Generation Content Standards and Objectives) shall be taught and utilized throughout all programs of study and at all grade levels
- School students and employees will follow the Acceptable Use Policy (AUP), as well as follow the guidelines of CIPA and the Children’s Online Privacy Protection federal statutes (COPPA).
- Each school will maintain a signed copy of the Acceptable Use Policy (AUP) for students and employees on file.
- Only publish student pictures or names on school websites that are part of Marshall County School’s directory information or when appropriate permission has been obtained.

- Schools must enforce the use of filtering or electronic technical protection measures during any use of the computers/devices to access the Internet. Encryption of all wireless access points for E-rated Internet access provided via the K-12 network or otherwise is required.

6.13.11 Employee Responsibilities

- School personnel will maintain a professional relationship with all school students, both inside and outside the classroom and while using any form of social media and other electronic communication.
- School employees and students are not peers or friends, the former having a duty to model moral, ethical, and professional conduct for the latter at all times.
- Employees have certain rights under State and Federal law to express themselves in the media of their choosing, albeit with certain limitations as concerns their employment by a governmental employer such as the Board.
- School employees have a special responsibility to demonstrate responsible citizenship by maintaining a high standard of conduct, self-control, and moral/ethical behavior with respect to their interactions and communications with students, whether the same occur during or after school hours, on school grounds or off school grounds.
- One effect of interactions and communications between students and school employees on social networking websites is to obscure the boundary line between appropriate school employee-student relationships and inappropriate school employee-student relationships. It is the intent of this policy to create a bright boundary line not to be crossed by school employees.
- Unethical conduct includes but is not limited to:
 - Committing any act of harassment as defined by WVDE and/or Marshall County Schools policy;
 - Committing or soliciting any sexual act from any student regardless of age;
 - soliciting, encouraging, or consummating a romantic or inappropriate relationship with any student, regardless of age;
 - using inappropriate language including, but not limited to, swearing and improper sexual comments;
 - taking inappropriate pictures of students or exchanging any inappropriate pictures with students;
 - engaging in any other behavior that constitutes a violation of Marshall County Schools' policy or that is detrimental to the health and welfare of students.

- Viewing, storing, transmission or downloading of pornography or sexually suggestive or sexually explicit material or text on a work computer or other electronic storage or communication device, whether at home or at work, by school personnel or anyone else to whom the school personnel has made the computer or other electronic storage or communication device available, is prohibited. This also applies to a personal computer or other electronic storage or communication device while at school or a school activity.
- Educators will teach and discuss appropriate online behavior, interacting with other individuals on social networking websites and chat rooms and cyber bullying awareness and response.
- Employees shall supervise and monitor the safety and security of minors when using electronic mail, chat rooms, other forms of direct electronic communications and the Internet.
- Employees will not disclose, use, or disseminate personal information regarding minors without parental authorization.
- Educators will teach, discuss, and monitor the online activity of students, and intervene if the uses are not acceptable.
- Educators must discuss with students that information posted on the internet is public and permanent and can have a long-term impact on their life and career.
- Educators will promote and model acceptable use, digital citizenship and online responsibility.
- Employees should be careful not to use copyrighted material in a manner that violates copyright law.
- Employees who receive information via any electronic resource, including a social networking site, that falls under the mandatory reporting requirements, must report as indicated in WV Code 49-6A-2.
- Employees are responsible for protecting their passwords associated with their computers and e-mail address and must not make them accessible to others.

6.13.12 Exception for Pre-Approved Curriculum-Based Uses

- Notwithstanding any other provision herein, curriculum-based uses of social networking websites by teachers and students are not prohibited. However, any such use shall require the prior written approval of the building principal.
- Teachers requesting to make curriculum-based uses of social networking websites shall submit to the building principal a succinct statement of the purpose and curricular goals for such use. Principals shall not withhold approval of curriculum-based uses of social networking websites unreasonably.

- After receiving prior written approval from the building principal, teachers shall provide affected students/parents with written notice of the curriculum-based use of a social networking website.
- Building principals shall maintain a list of approved and disapproved curriculum-based uses of social networking websites until August 1st of the calendar year following their approval of the same.

6.13.13 Student Responsibilities

- students will limit the use of technology in school to the educational objectives established by the teachers;
- students will not retrieve or send unethical, illegal, immoral, inappropriate or unacceptable information of any type;
- students will not seek unauthorized access of the school network;
- students will not disrupt network users, services, traffic, or equipment
- students will not use abusive language of any type, including swearing, name calling, nor transmit threatening, obscene, or harassing materials;
- students will not divulge personal information with another user for any purpose;
- students will not plagiarize information received in any form;
- students shall observe copyright laws
- students will not use another person's account;
- students will not share their password with anyone else;
- students will not use technology access provided by Marshall County Schools for illegal purposes of any kind
- students will not use personal devices to gain or give an advantage in a testing situation;
- students will not use personal devices or equipment that are not approved by the school or the individual teacher;
- students will notify their teacher and not demonstrate the problem to other users if they identify a security problem on the network.

6.13.14 Discipline for Violations of Policy

- School employees who violate this policy may be disciplined for insubordination.
- Violations of this policy by employees may be considered non-correctable conduct and thus are not subject to the employee evaluation process.
- Students who violate this policy shall be disciplined according to Marshall County Schools Policy 5.3 Expected Behavior in Safe and Supportive Schools

6.14.15 Reporting Violations

All school employees who become aware of violations of this policy shall report the same to their building principal within a reasonable time under the circumstances, but in any case within 48 hours after becoming aware of the violation(s).

6.13.16 Policy Dissemination and Training

- The Marshall County Schools Educational Purpose and Acceptable use of Electronic Resources, Technologies and the Internet Policy will be available online via the Marshall County Schools website.
- The Marshall County School Student Acceptable Use Agreement (AUP) shall be included in the Student Services Bulletin and disseminated at the beginning of each school year.
- School administration will review the policy with staff annually.
- Each school will devise a method for educating students as to the components of this policy.
- Students and Employees will be required to complete and return the signed AUP to the school before access to the network and Internet will be permitted.
- Students will receive instruction concerning appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms, as well as cyber bullying awareness and response. Instruction may be managed through WVDE approved instructional modules, or other principal approved instruction that includes documentation of student participation.

6.13.17 Severability

If any provision of this policy or the application thereof to any person or circumstance is held invalid by a Court of law having valid jurisdiction to decide the matter, such invalidity shall not affect the other provisions or applications of this policy and the same shall remain in full force and effect.