

ACCEPTABLE COMPUTER SYSTEM USE

The School Board provides a computer system, including access to the internet, to promote educational excellence by facilitating resource sharing, innovation and communication. The term computer system includes hardware, software, data, communication lines and devices, terminals, printers, CD-ROM devices, tape drives, servers, mainframe and personal computers, the internet and other internal or external networks.

All use of the Division's computer system must be (1) in support of education and/or research, or (2) for legitimate school business. Use of the computer system is a privilege, not a right. Each user is responsible for any activity associated with his or her account; so users shall not share network passwords. Users shall not have any expectation of privacy in anything that they create, store, send or receive on the Division's computer system. Any communication or material used on the computer system, including electronic mail or other files deleted from a user's account, may be monitored or read by school officials.

The Division Superintendent shall establish administrative procedures, for the School Board's approval, containing the appropriate uses, ethics and protocol for the computer system. The procedures shall include:

- (1) a prohibition against use by division employees and students of the division's computer equipment and communications services for sending, receiving, viewing or downloading illegal material via the Internet;
- (2) provisions, including the selection and operation of a technology protection measure for the Division's computers having Internet access to filter or block Internet access through such computers, that seek to prevent access to
 - (a) child pornography as set out in Va. Code § 18.2-374.1:1 or as defined in 18 U.S.C. §2256;
 - (b) obscenity as defined by Va. Code § 18.2-372 or 18 U.S.C. § 1460; and
 - (c) material that the school division deems to be harmful to juveniles as defined in Va. Code § 18.2-390, material that is harmful to minors as defined in 47 U.S.C. § 254(h)(7)(G); and material that is otherwise inappropriate for minors;
- (3) provisions establishing that the technology protection measure is enforced during any use of the Division's computers by minors;
- (4) provisions establishing that the online activities of minors will be monitored;
- (5) provisions designed to educate students about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyberbullying awareness and response;
- (6) provisions designed to prevent unauthorized online access by minors, including "hacking" and other unlawful activities by minors online;
- (7) provisions prohibiting the unauthorized disclosure, use, and dissemination of personal information regarding minors; and
- (8) a component of Internet safety for students that is integrated in the division's instructional program.

Use of the School Division's computer system shall be consistent with the educational or instructional mission or administrative function of the Division as well as the varied instructional

needs, learning styles, abilities and developmental levels of students. The Division's computer system is not a public forum.

In general, e-mail messages from the Division's email system are public documents under applicable law and, therefore, are not confidential. Under the Virginia Freedom of Information Act, e-mail messages must be produced if a citizen requests them with reasonable specificity. The general public shall have access to Division e-mail messages as provided in Virginia Code § 2.2-3704.

E-mail messages that contain personally identifiable, non-directory information about a Division student or employee are confidential and may be exempt from public disclosure under Virginia Code §§ 2.2-3704(G) and 2.2-3705.4(1). In addition, e-mail messages that contain personally identifiable information about a student are covered by the Family Educational Rights and Privacy Act ("FERPA"), 20 U.S.C. §1232g, and only persons with a legitimate educational interest may have access to them without prior written informed parental consent. Division employees that use the e-mail system to convey information to individuals that do not have a legitimate educational interest may be in violation of FERPA.

The School Board recognizes that e-mail messages may qualify as public records or student records under applicable law, and therefore are governed by the Virginia Public Records Act, Virginia Code § 42.1-76, *et seq.* Record retention schedules, which identify various documents and how long they must be saved, may be accessed at the Virginia Library's website: www.lva.lib.va.us. The Division archives messages from the Division's e-mail server, and shall be responsible for complying with the Library of Virginia's schedules for the retention of electronic messages, based on the categories of documents for which the e-mail messages qualify.

Each teacher and administrator shall sign the Acceptable Computer System Use Agreement, GAB-E1, before using the Division's computer system. The failure of any teacher or administrator to follow the terms of the Agreement, this policy or accompanying regulation may result in loss of computer system privileges, disciplinary action, and/or appropriate legal action.

The School Board is not responsible for any information that may be lost, damaged or unavailable when using the computer system or for any information retrieved via the Internet. Furthermore, the School Board will not be responsible for any unauthorized charges or fees resulting from access to the computer system.

The school board will review, amend if necessary, and approve this policy every two years.

Adopted: April 9, 2012

Revised: December 9, 2013

Legal Refs: 18 U.S.C. §§ 1460, 2256.
47 U.S.C. § 254.

Code of Virginia, 1950, as amended, §§ 18.2-372, 18.2-374.1:1, 18.2-390, 22.1-70.2, and 22.1-78.

Cross Refs.: GCPD Professional Staff Discipline