

Moon Area School District
Acceptable Use Agreement – Student

NOTE: Please read the Acceptable Use Agreement (AUA) carefully and return an "AUA - Student Form" (page 12), signed, to your child's school. You do not have to return the AUA. The AUA may be retained for your information and reference.

I. PURPOSE

The purpose of this Acceptable Use Agreement is to set forth guidelines for access to Moon Area School District (MASD) electronic telecommunication systems. Telecommunication systems are herein defined as any electronic device or network accessible technology used to communicate or convey audio, text, or visual messages. In addition this agreement includes guidelines for acceptable and safe use of the MASD computer hardware, computer software and related access to the MASD Intranet and the Internet and World-Wide Web

II. GENERAL STATEMENT OF AGREEMENT

In making decisions regarding student access to the school district's electronic telecommunication systems the district considers its own stated educational mission, goals and objectives. Access to and use of telecommunication systems has become a powerful tool for promoting educational excellence by facilitating research, information delivery, sharing, innovation, communication, productivity and learning. While these tools have become vital to communication and information access not all material is suited for the K-12 environment. The district expects that faculty will blend thoughtful use of the schools telecommunication systems and the Internet throughout the curriculum and will provide guidance and instruction to students on their safe and appropriate use.

III. LIMITED EDUCATIONAL PURPOSE

Moon Area School District provides employees and students with access to its telecommunication systems. The purpose of these systems is not general access but has a more specific limited educational purpose. This purpose includes use of telecommunication systems for professional MASD business, classroom instructional activities, professional and career development and to further educational and personal goals consistent with the school district's mission, goals, and objectives and school policies. Uses which might be acceptable on a user's private personal account on another system may not be acceptable on these limited purpose systems.

IV. USE OF SYSTEM IS A PRIVILEGE

The use of the MASD telecommunication systems is a privilege not a right. Depending on the nature and degree of the violation and the number of previous violations unacceptable use of the district's telecommunication systems may result in the limitation, suspension or revocation of the student's access privileges. In addition, school disciplinary action may be taken and/or appropriate legal action maybe taken depending upon the severity of the offense.

V. USER ROLES AND RESPONSIBILITIES

It is the responsibility of all students using MASD telecommunication systems to read,

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understand, and follow the guidelines outlined in this agreement. In addition, users are expected to exercise reasonable judgment in interpreting these guidelines and in making decisions about the appropriate use of MASD resources. Any student with questions regarding the application or meaning of this agreement should seek clarification from the appropriate teacher or school administrator. Use of MASD resources shall constitute acceptance of the terms of these agreement guidelines.

A. MASD STUDENT ROLES AND RESPONSIBILITIES

It is the responsibility of students using MASD telecommunication systems to learn about safe and responsible use of networked environments and telecommunication systems including the Intranet and Internet. Students are responsible for using these resources appropriately. They must abide by the terms of acceptable and unacceptable use as defined in this document (Section VI). If a student misuses MASD telecommunication systems, administrators and teachers in the district must report it to the district Superintendent or other appropriate manager.

B. PARENT/GUARDIAN ROLES AND RESPONSIBILITIES

The roles and responsibilities of parents and guardians are described elsewhere in this document. To review these roles and responsibilities see Section XIII.

VI. ACCEPTABLE AND UNACCEPTABLE USES

- A. It is acceptable for the MASD telecommunication systems, including the Intranet and Internet, to be used for educational purposes.
- B. MASD telecommunications systems are of great importance and require the cooperation and diligence of all users. It is acceptable and expected that any user who identifies a security problem must notify the site administrator (principal or director) who must then notify the Superintendent's designee. The user shall not demonstrate the problem to others. Any user who attempts or causes a breach of the system security shall have his/her privileges revoked and may be subject to any additional disciplinary and/or legal action.
- C. It is unacceptable to use MASD telecommunications to:
1. post or repost private, personally identifiable information about another person without permission (including, but not limited to, home address, telephone numbers, identification numbers, account numbers, access codes or passwords, photographs, height, weight);
 2. send threatening or harassing messages;
 3. make or transmit false, defamatory, or libelous statements about another person, group, or organization;
 4. access or share pornographic, sexually explicit, obscene, or otherwise harmful or inappropriate materials;
 5. gain or attempt to gain unauthorized access to MASD telecommunication systems;
 6. interfere with the daily operation of MASD telecommunication systems, including knowingly placing computer malware on or within any

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- telecommunication system;
- 7. access or attempt to access another person's account or files without prior implied or direct consent of that person;
- 8. intercept communications intended for another person without prior authorization;
- 9. engage in any commercial or fundraising purpose without authorization from the appropriate school district official;
- 10. further any political or religious purpose;
- 11. engage in any illegal act or violate any local, state, or federal statute or law;
- 12. download, upload, or distribute any files, software, or other material in violation of fair-use and copyright laws or intellectual property laws;
- 13. violate software usage or licensing agreements;
- 14. offer or provide goods or services or for product advertisement or to purchase goods or services for personal use.
- 15. maintain MASD application passwords that are less than eight (8) characters long with at least one (1) alphabetic and at least one (1) numeric character.
- 16. use electronic mail for confidential matters or privileged communications unless measures are taken to ensure confidentiality

- D. If a user inadvertently accesses unacceptable materials or an unacceptable Internet site, the user shall immediately disclose the inadvertent access to an appropriate school official. This disclosure may serve as a defense against an allegation that the user has intentionally violated this agreement. A user may also, in certain rare instances, access otherwise unacceptable materials if necessary to complete an assignment and if done with prior approval of, and with appropriate guidance from, the appropriate teacher.
- E. Only district provided Internet access should be used for utilizing the Internet within the district. Alternative methods of Internet access can only be used with prior approval from the Department of Technology.
- F. Technology protection measures will be reviewed annually to address emerging issues that may not currently be addressed.

VII. FILTER WITH REGARD TO INTERNET ACCESS

- A. With respect to any telecommunications systems within Moon Area School District with Internet access, the school district reserves the right to monitor the online activities of minors, employees, and guests. The district may employ technology protection measures during any use of such telecommunications systems by minors and adults, not limited to firewalls, filters, bandwidth monitoring, and shaping tools, antivirus software, anti-spyware software and pop-up blockers. The technology protection measures utilized will help monitor material deemed:

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- i. Obscene
 - ii. Child pornography; or
 - iii. Harmful to minors.
- B. The term "harmful to minors" means any picture, image, graphic image file, or other visual depiction that:
 - i. Taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion; or
 - ii. Depicts, describes, or represents, in any 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
 - iii. Taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.
- C. Technology protection measures will be reviewed annually to address emerging issues that may not currently be addressed.

VIII. Measures for Future Implementation

- A. There will be an ongoing evaluation by the district to assess measures in the AUA to promote a safe environment for all school district students. The action plan will be reviewed as needed.
- B. Methods by which the district ensures telecommunications security: The normal operation and maintenance of the district's technical infrastructure and services requires that general usage and activity is monitored, telecommunications systems are routinely backed up, and programs or other devices are employed to maintain the functionality, integrity, or security of the network infrastructure.

IX. CONSISTENCY WITH OTHER SCHOOL POLICIES

Use of the district's telecommunication shall be consistent with school district mission, goals, security plans, objectives and policies as well as the varied instructional needs, learning styles, abilities and developmental levels of its students. The district's network and related telecommunications systems are not a public forum.

Administration, faculty, or staff may request that the systems administrator deny, revoke, or suspend specific user access in the event of violation of this agreement or known breach of telecommunications systems.

X. LIMITED EXPECTATION OF PRIVACY

- A. By authorizing use of the school district's telecommunication systems the school district 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 data or files on the school district equipment or systems.

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- B. Routine maintenance and monitoring of the school district systems may lead to a discovery that a user has violated this agreement, another school district agreement, or 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 school district policies.
- D. Parents have the right at any time to investigate or review the contents of their child's files. Parents have the right to request the termination of their child's individual accounts at any time.
- E. The school district will cooperate fully with local, state, and federal authorities in any investigation concerning or related to any illegal activities and activities not in compliance with school district policies conducted through the school district's systems.

XI. INTERNET USE

- A. The proper use of the Internet and the educational value to be gained from proper Internet use is the joint responsibility of students, parents, and employees of the school district.
- B. Students must understand that people are not always who they say they are. They should never give out personal information without an adult's permission, especially if it conveys where they can be found at a particular time. They should understand that predators are always present on the Internet. Students should recognize the various forms of cyber bullying and know what steps to take if confronted with that behavior.
- C. The ACCEPTABLE USE AGREEMENT - STUDENT FORM must be read and signed by the user (if able to sign or if entering grade four or above) and the parent or guardian. The form must then be filed at the school office.
- D. This agreement 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.
- E. Students and their families should discuss how to identify acceptable sites to visit and what to do if an inappropriate site is accessed. Students should be informed about various Web advertising techniques and realize that not all sites provide truthful information.

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- F. Students and their families should discuss acceptable social networking and communication methods and the appropriate steps to take when encountering a problem. Students should know the potential dangers of emailing, gaming, downloading files, and peer-to-peer computing (e.g., viruses, legal issues, harassment, sexual predators, identity theft).

XII. LIMITATIONS ON SCHOOL DISTRICT LIABILITY

Use of the school district's telecommunication systems including the Intranet and Internet is at the user's own risk. The systems are provided on an "as is, as available" basis. The school district will not be responsible for any damage users may suffer, including but not limited to loss, damage or unavailability of data stored on school district storage media, including but not limited to diskettes, tapes, hard drives, jump drives, or servers, or for delays or changes in or interruptions of service or mis-deliveries or non-deliveries of data, information or materials, regardless of the cause. The school district is not responsible for the accuracy or quality of any advice or information obtained through or stored on the school district's systems. The school district will not be responsible for financial obligations arising through unauthorized use of the school district's systems, including the Intranet and Internet.

XIII. USER NOTIFICATION

- A. All users shall be notified of the school district agreements relating to telecommunication systems use.
- B. This notification shall include the following:
 - 1. Notification that Intranet and Internet use is subject to compliance with school district agreements and School Board policies.
 - 2. Disclaimers limiting the school district's liability relative to:
 - a. Information stored on school district magnetic media, including but not limited to diskettes, hard drives, jump drives or servers.
 - b. Information retrieved through school district computers, networks, or online resources.
 - c. Personal property used to access school district computers, networks, or online resources.
 - d. Unauthorized financial obligations resulting from use of school district 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 the school district 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 Agreement.
 - 5. Notification that goods and services can be purchased over the Internet that could potentially result in unwanted financial obligations and that

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any financial obligation incurred by a student through the Internet is the sole responsibility of the student or the student's parents/guardians.

6. Notification that the collection, creation, reception, maintenance, and dissemination of data via the Internet, including electronic communications, is governed by Family Educational Rights and Privacy Act of 1974 (FERPA) Pennsylvania Right-to-Know Law (65 P.S. Sec. 67.101, et seq.).
7. Notification that, should the user violate the school district's Acceptable Use Agreement, the student's access privileges may be limited, suspended, or revoked. In addition, school disciplinary action may be taken and/or appropriate legal action may be taken given the severity of the offense.
8. That all provisions of the Acceptable Use Agreement are subordinate to local, state, and federal laws.

XIV. PARENT RESPONSIBILITY — NOTIFICATION OF STUDENT INTERNET USE

- A. Outside of school, parents bear responsibility for the same guidance of Internet use as they exercise with information sources such as television, telephones, radio, movies, and other possibly offensive media. Parents are responsible for monitoring their students' uses of the school district systems and of the Internet if the students are accessing the school district systems from home or a remote location.
- B. Patents will be notified that their students will be using school district resources/accounts to access the Internet and that the school district will provide parents the option to request alternative activities not requiring Internet access. This notification includes:
 - i. A description of patent/guardian responsibilities.
 - ii. A statement that the Acceptable Use Agreement must be signed by the user and the parent or guardian prior to use by the student.
 - iii. A statement that the school district's Acceptable Use Agreement is available for parental review.

XV. IMPLEMENTATION AND AGREEMENT REVIEW

- A. The school district administration may periodically propose addendums to this agreement. Upon approval by the school board such updates shall be an addendum to this agreement. The signed agreement and any agreement addenda remain in full force while the student is a bona fide student within the school district.
- B. The administration shall revise the student/parent, if necessary, to reflect the adoption of any addendums to the agreement.
- C. The school district's agreements are available for review by all parents, guardians, and members of the community.

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- D. Because of the rapid changes in the development of the Internet the school district shall conduct an annual review of this agreement.
- E. The school district will provide instruction, available to the community, on Internet safety.

XVI. MASD ONLINE SAFETY PROGRAM

- A. Training to students is provided as part of the regular instructional program and is integrated into the classroom lessons where appropriate.
- B. Training to parents of students is provided through online sources, local organizations, and the individual school parent-teacher organizations (PTO).

XVII. DISCLAIMERS

- A. Moon Area School District makes no warranties of any kind, either expressed or implied, for MASD telecommunication systems resources including the Intranet or Internet. MASD is not responsible for any damages incurred, including but not limited to loss of data resulting from delays or interruption of service, loss of data stored on MASD resources, or damage to personal property used to access MASD resources; for the accuracy, nature, or quality of information stored on MASD resources or gathered through MASD Intranet or the Internet; or for unauthorized financial obligations incurred through MASD-provided access. Furthermore, even though MASD may use technical or manual means to limit student access these limits do not provide a foolproof means for enforcing the provisions of this agreement. All provisions of this agreement are subordinate to local, state, and federal statutes.

This agreement is in compliance with local, state, and federal telecommunications rules and regulations.

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Legal References

17 U.S.C. §101 et. seq. (Copyrights) 15 U.S.C. 6501 et. seq.
18 U.S.C. §1460 (Obscenity Defined)
18 U.S.C. §2256 (Child Pornography)
47 U.S.C. §254(h)(7)(G) (Material Harmful to Minors)
Children's Internet Protection Act of 2000 (CIPA) 47 U.S.C. 254 47 C.E.R. 54.520 (FCC Rules Implementing CIPA)
Title III of the Elementary and Secondary Education Act of 1965, 20 U.S.C. 1601, et. seq., as amended.

20 U.S.C. §1232g, 34 CFR Part 99 Family Educational Rights and Privacy Act of 1974 (FERPA).
20 U.S.C. §1400-1485 and §2.1-377 through §2.1-386 Individuals with Disabilities Educational Act (IDEA).
47 U.S.C. Sec. 254 – Child's Internet Protection Act Certification
20 U.S.C. Sec. 6777 – Enhancing Education through Technology Act
65 P.S. Sec. 67.101 et seq. – Pennsylvania Right-To-Know Law
24 P.S. Sec. 510 - School Code
24 P.S. Sec. 4601 et seq. – Child Internet Protection Act
18 Pa. C.S.A. Sec. 5903, 6312 – Pennsylvania Crimes Code

Cross References

110 – Instructional Supplies
220 - Student Expression
250 – Electronic Devices
713 – Liability for Personal Property
801 – Requests for Public Records
814 – Copyright Material
814.1 – Computer Use
814.2 – Technology System Security
815 – Electronic System Usage for Employees

ACCEPTABLE USE AGREEMENT - STUDENT FORM

(Students should complete if they are entering fourth grade during the current year or are able to sign/print their name)

I have read and do understand the school district agreements relating to acceptable use of the school district's telecommunication systems and agree to abide by them. I further understand that any violation of the agreements is unethical and may constitute a violation of law. Should I commit any violation my access privileges may be limited, suspended, or revoked. In addition, I understand that school disciplinary action may be taken and/or appropriate legal action may be taken.

Student's Full Name (please print)

Student's Signature

Date

PARENT OR LEGAL GUARDIAN *(Parent or Legal Guardian should complete this portion if the student **is not** age 18 or older)*

As the parent or legal guardian of this student I have read the school district agreements relating to acceptable use of the school district's telecommunication systems. I understand that this access is designed for educational purposes. However, I also understand that it is impossible for the school district to restrict access to all controversial materials, and I will not hold the school district or its employees or agents responsible for materials acquired on the Internet or through these systems. I hereby give permission to issue an account for my child, allow him/her to use these telecommunication systems and certify that the information contained on this form is correct.

Parent or Legal Guardian's Full Name (please print)

Parent or Legal Guardian's Signature

Date

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