

## **System Access, Acceptable Use And Internet Safety Policy**

Adopted: November 2005

Revised: April 2009, April 2011, February 2014, January 2016

### **Purpose**

The purpose of this policy is to define expectations and set forth terms for access to and appropriate use of the school's systems, equipment, software, accounts, and digital resources or electronic communications to, from, or for the school (henceforth referred to as MNOHS Systems) including its learning management system (LMS), student information system (SIS), webinar, software and external networks and services used by MNOHS students, parents, student guardians, faculty, and staff for normal participation in the academic program, the school community and/or the execution of professional or assigned duties This policy defines the acceptable and safe use of all electronic communications, resources and equipment connected to the Internet.

### **Policy**

Access to MNOHS Systems and the Internet is contingent upon a student, parent, guardian, volunteer, and employee following all school policies, including but not limited to the following policies:

- Attendance
- Bullying Protection
- Harassment and Violence
- Academic Honesty
- Public and Private Personnel Data

In making decisions regarding any level of access to MNOHS Systems and Internet resources including any electronic communications to, from, or for the school, the school will balance an individual's need for access to MNOHS Systems with an individual's compliance with school policies.

### **Limited Educational or Professional Purpose**

The school provides students, parents, guardians, contractors, volunteers and employees with access to MNOHS Systems with a limited educational purpose, which includes use of these systems for assigned

24 course and other educational activities, educational research, community participation, and the fulfillment  
25 of professional duties or career development activities. Uses which might be acceptable on a user's  
26 private personal account on another system may not be acceptable on MNOHS Systems provided for this  
27 limited purpose.

## 28 **Use of MNOHS Systems is a Privilege**

29 The use of the MNOHS Systems is a privilege, not a right. Depending on the nature and degree of the  
30 violation and the number of previous violations of this or other school policies, unacceptable use of  
31 MNOHS Systems may result in one or more of the following consequences:

- 32 • suspension or cancellation of use or access privileges;
- 33 • payments for damages and repairs;
- 34 • discipline under other appropriate school district policies, including suspension, expulsion,  
35 exclusion or termination of employment; or civil or criminal liability under other  
36 applicable laws.

## 37 **Unacceptable Uses**

38 A. The following are examples what would be considered unacceptable while using MNOHS  
39 Systems:

- 40 1. Users will not use any MNOHS System to access, review, upload, download, store, print,  
41 post, receive, transmit or otherwise distribute:
  - 42 a. pornographic, obscene or sexually explicit material or other visual depictions that  
43 are harmful to minors;
  - 44 b. obscene, abusive, profane, lewd, vulgar, rude, inflammatory, threatening,  
45 disrespectful, or sexually explicit language;
  - 46 c. materials that use language or images that are inappropriate in the education  
47 setting or disruptive to the educational process;
  - 48 d. information or materials that could cause damage or danger of disruption to the  
49 educational process;
  - 50 e. materials that use language or images that advocate violence or discrimination  
51 toward other people (hate literature) or that may constitute harassment or  
52 discrimination.
- 53 2. Users will not use MNOHS Systems to knowingly or recklessly post, transmit or distribute  
54 false or defamatory information about a person or organization, or to harass another  
55 person, or to engage in personal attacks, including prejudicial or discriminatory attacks.
- 56 3. Users will not use MNOHS Systems to engage in any illegal act or violate any local, state  
57 or federal statute or law.

- 58 4. Users will not use MNOHS Systems to vandalize, damage or disable the property of  
59 another person or organization, will not make deliberate attempts to degrade or disrupt  
60 equipment, software or system performance by spreading computer viruses or by any  
61 other means, will not tamper with, modify or change any MNOHS System or wiring or  
62 take any action to violate the school's security systems, and will not use a MNOHS  
63 System in such a way as to disrupt the use of MNOHS Systems by other users.
- 64 5. Users will not use MNOHS Systems to gain unauthorized access to information resources  
65 or to access another person's materials, information or files without the direct permission  
66 of that person.
- 67 6. Users will not use MNOHS Systems to post private information about another person,  
68 personal contact information about themselves or other persons, or other personally  
69 identifiable information, including, but not limited to, addresses, telephone numbers,  
70 school addresses, work addresses, identification numbers, account numbers, access codes  
71 or passwords, labeled photographs or other information that would make the individual's  
72 identity easily traceable, and will not repost a message that was sent to the user privately  
73 without permission of the person who sent the message.
- 74 7. Users will not attempt to gain unauthorized access to any MNOHS System or any other  
75 external system through any MNOHS System attempt to log in through another person's  
76 account, or use accounts, access codes or network identification other than those assigned  
77 to the user. Messages and records on MNOHS Systems may not be encrypted without the  
78 permission of the Executive Director.
- 79 8. Users will not use MNOHS Systems to violate copyright laws or usage licensing  
80 agreements, or otherwise to use another person's property without the person's prior  
81 approval or proper citation, including unauthorized downloading or exchanging of  
82 software or media files or copying software or media files to or from any MNOHS  
83 System, and will not plagiarize works they found on or off the Internet or gain access to  
84 plagiarized or otherwise illegally distributed work.
- 85 9. Users will not use MNOHS Systems for conducting business, for unauthorized  
86 commercial purposes or for any personal gain unrelated to the mission of the school. Users  
87 will not use MNOHS Systems to develop, offer or provide goods or services or for  
88 product advertisement or to purchase goods or services for personal use without  
89 authorization from the Executive Director.

90 B. If a user inadvertently accesses unacceptable materials or an unacceptable Internet site, the user  
91 shall immediately disclose the inadvertent access to a faculty member, a school counselor, Dean of  
92 Academic Programming or the Executive Director as appropriate. In the case of a school employee, the  
93 immediate disclosure shall be to the employee’s immediate supervisor and/or that person’s supervisor.  
94 This disclosure may serve as a defense against an allegation that the user has intentionally violated this  
95 policy. In certain rare instances, a user also may access otherwise unacceptable materials if necessary to  
96 complete an assignment and if done with the prior approval of and with appropriate guidance from the  
97 appropriate teacher or, in the case of a school employee, the employee’s immediate supervisor. In all  
98 cases, a disclosure must be sent within 24 hours to the Executive Director.

99

## 100 **Filter**

101 A. With respect to MNOHS Systems and its curriculum, the school will vet outside resources it uses  
102 for its curriculum and develop and continually revise procedures to realistically remove or otherwise  
103 limit the opportunity to access to inappropriate and unacceptable content.

104 B. It is the responsibility of the parent or guardian to monitor the online activities of minors and  
105 employ technology protection measures during any use of MNOHS Systems by minors when students are  
106 accessing the Internet through their own equipment and Internet connection. .

107 C. When students access MNOHS Systems from a MNOHS physical office, it is the responsibility of  
108 the school to actively filter or otherwise ensure that technology protection measures utilized will block or  
109 filter Internet access to any visual depictions that are:

- 110 1. Obscene;
- 111 2. Child pornography; or
- 112 3. Harmful to minors.

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

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

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

124 **Consistency with Other School Policies**

125 Use of MNOHS Systems and use of the Internet shall be consistent with school policies and the mission  
126 of the school.

127 **Terms of Use and Limited Expectation of Privacy**

128 A. By authorizing use of MNOHS Systems, the school does not relinquish control over materials on  
129 MNOHS Systems or contained in files created or transmitted using MNOHS Systems. Users should  
130 expect only limited privacy regarding the content contained in personal files and communication created,  
131 stored or transmitted using MNOHS Systems.

132 B. Routine maintenance and monitoring of MNOHS Systems may lead to a discovery that a user has  
133 violated this policy, another school policy, or the law.

134 C. An individual investigation or search will be conducted if school authorities have a reasonable  
135 suspicion that the search will uncover a violation of law or school policy.

136 D. Parents of students under the age of 18 have the right at any time to investigate or review the  
137 contents of their student’s files and e-mail files. Parents have the right to request the termination of their  
138 child’s individual account(s) at any time with the understanding that such termination may prevent the  
139 student from fully participating in the academic program

140 E. School employees and contractors should be aware that the school retains the right at any time to  
141 investigate or review the contents of their files and e-mail files. In addition, employees and contractors  
142 should be aware that data and other materials in files maintained or generated with MNOHS Systems  
143 may be subject to review, disclosure or discovery under Minn. Stat. Ch. 13 (the Minnesota Government  
144 Data Practices Act).

145 F. The school will cooperate fully with local, state and federal authorities in any investigation  
146 concerning or related to any illegal activities or activities not in compliance with school policies  
147 conducted through the school systems.

148 G. MNOHS is not liable for damage to equipment not issued by MNOHS to access and communicate  
149 with MNOHS Systems. Use of personal equipment by students, parents/guardians, volunteers,  
150 contractors, and employees to access MNOHS Systems and create or store content necessary for  
151 contractual duties may be subject to review, disclosure or discovery under Minn. Stat. Ch. 13 (the  
152 Minnesota Government Data Practices Act).

153 H. Use of personal equipment to create and store content “off system” (e.g, store a file or e-mail  
154 locally) by employees or contractors in the course of performing contractual duties is expressly forbidden  
155 unless permission is granted by the Executive Director and may be subject to review, disclosure or  
156 discovery under Minn. Stat. Ch. 13 (the Minnesota Government Data Practices Act)..

157 I. The use of MNOHS Systems for personal use beyond limited communication with family  
158 members and limited checking of personal accounts is expressly forbidden unless permission is granted  
159 by the Executive Director. Permission must be renewed prior to the start of the first day of school.

160 J. Using MNOHS Systems to access personal accounts and engage in personal communications may  
161 subject those accounts and communications to review, disclosure or discovery under Minn. Stat. Ch. 13  
162 (the Minnesota Government Data Practices Act).

163 K. By signing the MNOHS Systems Acceptable Use Agreement, the signatories agree to abide and  
164 enforce this policy.

## 165 **Internet and MNOHS Systems Acceptable Use Agreement**

166 A. The proper use of the Internet and MNOHS Systems, and the educational value to be gained from  
167 proper Internet and MNOHS Systems use, is the joint responsibility of students, parents and employees  
168 of the school.

169 B. The Acceptable Use Agreement form for students must be read and signed by the user, and the  
170 parent or guardian. The Acceptable Use Agreement form for employees must be signed by the  
171 employee. Each form must then be filed in the student's cumulative or employee's personnel file.

## 172 **Limitation on School District Liability**

173 Use of MNOHS Systems is at the user's own risk. MNOHS Systems are provided on an "as is, as  
174 available" basis. The school will not be responsible for any damage users may suffer, including, but not  
175 limited to, loss, damage or unavailability of data stored on MNOHS Systems or "off system" or for  
176 delays or changes in or interruptions of service or misdeliveries or nondeliveries of information or  
177 materials, regardless of the cause. The school is not responsible for the accuracy or quality of any advice  
178 given by its employees or information obtained through or stored on MNOHS Systems. The school will  
179 not be responsible for financial obligations arising through unauthorized use of MNOHS Systems or the  
180 Internet.

## 181 **User Notification**

182 A. All users shall be notified of the school policies relating to the use of the Internet and MNOHS  
183 Systems.

184 B. This notification shall include the following:

185 1. Notification that Internet and MNOHS Systems use is subject to compliance with school  
186 policies.

187 2. Disclaimers limiting the school's liability relative to:

188 a. Information stored on or created with MNOHS Systems.

189 b. Information retrieved through MNOHS Systems.

190 c. Personal property used to access MNOHS Systems or external online resources.

191 d. Unauthorized financial obligations resulting from use of MNOHS Systems.

- 192 3. A description of the privacy rights and limitations of school sponsored/managed Internet  
193 accounts.
- 194 4. Notification that, even though the school may use technical means to limit student access  
195 to material deemed by school personnel or parents to be harmful, these limits do not  
196 provide a foolproof means for enforcing the provisions of this acceptable use policy.
- 197 5. Notification that goods and services can be purchased over the Internet that could potentially  
198 result in unwanted financial obligations and that any financial obligation incurred by a student through  
199 the Internet is the sole responsibility of the student and/or the student's parents.
- 200 6. Notification that the collection, creation, reception, maintenance and dissemination of data via the  
201 Internet, including electronic communications, is governed by the Public and Private Personnel Data  
202 Policy, and the Protection and Privacy of Pupil Records Policy.
- 203 7. Notification that, should the user violate the school's acceptable use policy, the user's access  
204 privileges may be revoked, school disciplinary action may be taken and/or appropriate legal action may  
205 be taken.
- 206 8. Notification that all provisions of the acceptable use policy are subordinate to local, state and  
207 federal laws.

## 208 **Parents' Responsibility; Notification of Student Internet Use**

209 A. Outside of the MNOHS office and other physical sites supervised by MNOHS faculty and staff,  
210 parents bear responsibility for the same guidance of Internet use as they exercise with information  
211 sources such as television, telephones, radio, movies and other possibly offensive media. Parents are  
212 responsible for monitoring their student's use of MNOHS Systems and of the Internet if the student is  
213 accessing MNOHS Systems from home or another remote location other than a MNOHS office or  
214 location temporarily designated for an official MNOHS function.

215 B. During the application process, parents and students will be notified that all students will be  
216 required to use and access MNOHS Systems and the Internet in their courses.

217 This notification should include:

- 218 1. A description of parent/guardian responsibilities.
- 219 2. A statement that the Internet Use Agreement must be signed by the user, and the parent or  
220 guardian prior to use by the student.
- 221 3. A statement that the school district's acceptable use policy is available for parental review.

## 222 **Implementation; Policy Review**

223 A. The school administration may develop appropriate forms, responsibilities of different roles (e.g.,  
224 the responsibility of a parent/guardian, student, etc), guidelines and procedures necessary to implement

225 this policy for submission to the school board for approval. Upon approval by the school board, such  
226 guidelines, forms and procedures shall be an addendum to this policy.

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

229 C. The school policies and procedures are available for review by all parents, guardians, staff and  
230 members of the general public.

231 D. Because of the rapid changes in the development and adoption of new and existing MNOHS  
232 Systems, the school board shall conduct a periodic review of this policy.

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234 **Legal References:** 17 U.S.C. § 101 et seq. (Copyrights)

235 15 U.S.C. § 6501 et seq.

236 Children’s Internet Protection Act of 2000 (CIPA) 47 U.S.C. § 254

237 47 C.F.R. § 54.520 (FCC rules implementing CIPA)

238 Title III of the Elementary and Secondary Education Act of 1965, 20 U.S.C.  
239 §1601, et seq., as amended

240 Minn. Stat. §§ 125B.15 and 125B.25

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242 **Cross References:** Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)

243 Policy 406 (Public and Private Personnel Data)

244 Policy 505 (Distribution of Nonschool-Sponsored Materials on School Premises by  
245 Students and Employees)

246 Policy 506 (Student Discipline)

247 Policy 515 (Protection and Privacy of Pupil Records)

248 Policy 519 (Interviews of Students by Outside Agencies)

249 Policy 521 (Student Disability Nondiscrimination)

250 Policy 522 (Student Sex Nondiscrimination)

251 Policy 603 (Curriculum Development)

252 Policy 604 (Instructional Curriculum)

253 Policy 606 (Textbooks and Instructional Materials)



254 Policy 804 (Bomb Threats)

255 Policy 904 (Distribution of Materials on School District Property by Nonschool  
256 Persons)