

System Access, Acceptable Use and Internet Safety Policy

Adopted: November 2005

Revised: October 2022

Last Review: October 2022

1 Purpose

2 The purpose of this policy is to define expectations and set forth terms for access to and appropriate use
3 of the school’s systems, equipment, software, accounts, and digital resources or electronic
4 communications to, from, or for Minnesota Online High School (henceforth referred to as MNOHS
5 Systems) including its learning management system (LMS), student information system (SIS), webinar,
6 software and external networks and services used by MNOHS students, parents, guardians, board
7 members, volunteers, contractors, consultants, faculty, and staff (henceforth referred to as Users) for
8 normal participation in the academic program, the school community and/or the execution of professional
9 or assigned duties

10 Policy

11 This policy defines the acceptable and safe use of all electronic communications, resources and
12 equipment connected to the Internet. Access to MNOHS Systems and the Internet is contingent upon a
13 User following all school policies, including but not limited to the following policies:

- 14 • Student Attendance and Expectations
- 15 • Bullying Prohibition
- 16 • Harassment and Violence
- 17 • Academic Honesty
- 18 • Public and Private Personnel Data

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

22 **Use of MNOHS Systems is a Privilege**

23 The use of the MNOHS Systems is a privilege, not a right. Discipline for students will be in accordance
24 with the MNOHS Student Discipline Policy. Depending on the nature and degree of the violation and the
25 number of previous violations of this or other school policies, unacceptable use of MNOHS Systems may
26 result in one or more of the following consequences:

- 27 • suspension or cancellation of use or access privileges;
- 28 • payments for damages and repairs;
- 29 • discipline under other appropriate school district policies, including suspension, expulsion,
30 exclusion or termination of employment; or civil or criminal liability under other
31 applicable laws.

32

33 **Acceptable Uses**

- 34 A. The school provides Users with access to MNOHS Systems with a limited educational purpose,
35 which includes use of these systems for assigned course and other educational activities, educational
36 research, community participation, and the fulfillment of professional duties or career development
37 activities. Uses which might be acceptable on a User’s private personal account on another system
38 may not be acceptable on MNOHS Systems provided for this limited purpose.
- 39 B. Users will follow the guidelines of the Family Educational Rights and Privacy Act (FERPA), the
40 Minnesota Government Data Practices Act, Minn. Stat. Chap. 13 and MNOHS policy 515 Protection
41 and Privacy of Pupil Records when publishing student information. School employees will follow
42 the Minnesota Government Data Practices Act and MNOHS policy 406 Public and Private Personnel
43 Data when publishing employee data.
- 44 C. Use of MNOHS Systems and use of the Internet shall be consistent with the mission of the school and
45 school policies including but not limited to: 506 Student Discipline Policy and MNOHS 02
46 Personnel Policy.
- 47 D. The following are examples what would be considered unacceptable while using MNOHS Systems:
 - 48 1. Users will not use any MNOHS System to access, review, upload, download, store, print,
49 post, receive, transmit or otherwise distribute:
 - 50 a. pornographic, obscene or sexually explicit material or other visual depictions that are
51 harmful to minors;
 - 52 b. obscene, abusive, profane, lewd, vulgar, rude, inflammatory, threatening, disrespectful,
53 or sexually explicit language;
 - 54 c. materials that use language or images that are inappropriate in the education setting or
55 disruptive to the educational process;

56 d. information or materials that could cause damage or danger of disruption to the
57 educational process;

58 e. materials that use language or images that advocate violence or discrimination toward
59 other people (hate literature) or that may constitute harassment or discrimination.

60 2. Users will not use MNOHS Systems to knowingly or recklessly post, transmit or distribute
61 false or defamatory information about a person or organization, or to harass another
62 person, or to engage in personal attacks, including prejudicial or discriminatory attacks.

63 3. Users will not use MNOHS Systems to engage in any illegal act or violate any local, state
64 or federal statute or law.

65 4. Users will not use MNOHS Systems to vandalize, damage or disable the property of
66 another person or organization, will not make deliberate attempts to degrade or disrupt
67 equipment, software or system performance by spreading computer viruses or by any
68 other means, will not tamper with, modify or change any MNOHS System.

69 5. Users will not use MNOHS Systems to gain unauthorized access to information resources
70 or to access another person's materials, information or files without the direct permission
71 of that person.

72 6. Users will not use MNOHS Systems to post private information about another person,
73 personal contact information about themselves or other persons, or other personally
74 identifiable information, and will not repost a message that was sent to the User privately
75 without permission of the person who sent the message.

76 7. Users will not attempt to gain unauthorized access to any MNOHS System or any other
77 external system through any MNOHS System attempt to log in through another person's
78 account, or use accounts, access codes or network identification other than those assigned
79 to the User.

80 8. Users will not use MNOHS Systems to violate copyright laws or usage licensing
81 agreements, or otherwise to use another person's property without the person's prior
82 approval or proper citation, including unauthorized downloading or exchanging of
83 software or media files or copying software or media files to or from any MNOHS
84 System, and will not plagiarize works they found on or off the Internet or gain access to
85 plagiarized or otherwise illegally distributed work.

86 9. Users will not use MNOHS Systems for conducting business, for unauthorized
87 commercial purposes or for any personal gain unrelated to the mission of the school. Users
88 will not use MNOHS Systems to develop, offer or provide goods or services or for
89 product advertisement or to purchase goods or services for personal use without
90 authorization from the Executive Director.

91 E. If a User inadvertently accesses unacceptable materials or an unacceptable Internet site, the User
92 shall immediately disclose the inadvertent access to a faculty member, a school counselor, or the

93 Executive Director as appropriate. In the case of a school employee, the immediate disclosure
94 shall be to the employee's immediate supervisor and/or that person's supervisor. This disclosure
95 may serve as a defense against an allegation that the User has intentionally violated this policy.
96 In certain rare instances, a User also may access otherwise unacceptable materials if necessary to
97 complete an assignment and if done with the prior approval of and with appropriate guidance
98 from the appropriate teacher or, in the case of a school employee, the employee's immediate
99 supervisor. In all cases, a disclosure must be sent within 24 hours to the Executive Director.

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
103 otherwise 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 students and
105 employ technology protection measures during any use of MNOHS Systems by minors when
106 students are accessing the Internet through their own equipment and Internet connection. .
- 107 C. When Users 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
109 block or filter Internet access to any material that is: :
- 110 1. Obscene;
 - 111 2. Pornography; or
 - 112 3. Harmful to minors as defined by federal and state law.
- 113 D. An administrator, supervisor or other person authorized by the Executive Director may disable the
114 technology protection measure, during use by an adult, to enable access for bona fide research or
115 other lawful purposes.

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

- 117 A. By authorizing use of MNOHS Systems, the school does not relinquish control over materials on
118 MNOHS Systems or contained in files created or transmitted using MNOHS Systems. Users
119 should expect only limited privacy regarding the content contained in personal files and
120 communication created, stored or transmitted using MNOHS Systems.
- 121 B. Routine maintenance and monitoring of MNOHS Systems may lead to a discovery that a User has
122 violated this policy, another school policy, or the law.
- 123 C. An individual investigation or search will be conducted if MNOHS administrators or the Board of
124 Directors has a reasonable suspicion that the search will uncover a violation of law or school
125 policy.
- 126 D. Parents or guardians have the right to investigate or review the contents of their student's
127 files and e-mail files within the limits of MNOHS policy 515

128 Protection and Privacy of Pupil Records. Parents or guardians have the right to request the
129 termination of their child’s individual account(s) at any time with the understanding that such
130 termination may prevent the student from fully participating in the academic program

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

135 F. MNOHS will cooperate fully with local, state and federal authorities in any investigation
136 concerning or related to any illegal activities or activities not in compliance with school policies
137 conducted through the school systems.

138 G. Use of personal equipment by students, parents/guardians, volunteers, contractors, and employees
139 to access MNOHS Systems and create or store content necessary for contractual duties may be
140 subject to review, disclosure or discovery under the Minnesota Government Data Practices Act
141 (Minn. Stat. Ch. 13).

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

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

149 J. By signing the MNOHS Systems Acceptable Use Agreement, the signatories agree to abide and
150 enforce this policy.

151 **Internet and MNOHS Systems Acceptable Use Agreement**

152 A. The proper use of the Internet and MNOHS Systems, and the educational value to be gained from
153 proper Internet and MNOHS Systems use, is the joint responsibility of students, parents,
154 guardians and employees of the school.

155 B. The Acceptable Use Agreement form for students must be read and signed by the User, and the
156 parent or guardian. The Acceptable Use Agreement form for employees must be signed by the
157 employee. Each form must then be filed in the student’s cumulative or employee’s personnel file.

158 **Limitation on School District Liability**

159 Use of MNOHS Systems is at the User’s own risk. MNOHS Systems are provided on an “as is, as
160 available” basis. The school will not be responsible for any damage Users may suffer, including, but not
161 limited to, loss, damage or unavailability of data stored on MNOHS Systems or “off system” or for
162 delays or changes in or interruptions of service or misdeliveries or nondeliveries of information or
163 materials, regardless of the cause. The school is not responsible for the accuracy or quality of any advice

164 given by its employees or information obtained through or stored on MNOHS Systems. The school will
165 not be responsible for financial obligations arising through unauthorized use of MNOHS Systems or the
166 Internet.

167 **User Notification**

168 A. All Users shall be notified of the school policies relating to the use of the Internet and MNOHS
169 Systems.

170 B. This notification shall include the following:

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

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

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

175 b. Information retrieved through MNOHS Systems.

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

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

178 3. A description of the privacy rights and limitations of school sponsored/managed Internet
179 accounts.

180 4. Notification that, even though the school may use technical means to limit student access
181 to material deemed by school personnel, parents or guardians to be harmful, these limits do
182 not provide a foolproof means for enforcing the provisions of this acceptable use policy.

183 5. Notification that goods and services can be purchased over the Internet that could
184 potentially result in unwanted financial obligations and that any financial obligation
185 incurred by a student through the Internet is the sole responsibility of the student and/or
186 the student's parents.

187 6. Notification that the collection, creation, reception, maintenance and dissemination of data
188 via the Internet, including electronic communications, is governed by the MNOHS policy
189 406 Public and Private Personnel Data , and the Protection and MNOHS policy 515
190 Protection and Privacy of Pupil Records.

191 7. Notification that, should the User violate the MNOHS policy 524 System Access,
192 Acceptable Use and Internet Safety, the User's access privileges may be revoked, school
193 disciplinary action may be taken and/or appropriate legal action may be taken.

194 8. Notification that all provisions of MNOHS policy 524 System Access, Acceptable Use
195 and Internet Safety are subordinate to local, state and federal laws.

- 196 9. During the application process, parents, guardians and students will be notified that all
197 students will be required to use and access MNOHS Systems and the Internet in their
198 courses.

199 This notification should include:

- 200 1. A description of parent or guardian responsibilities.
- 201 2. A statement that the Internet Use Agreement must be signed by the User, and the parent or
202 guardian prior to use by the student.
- 203 3. A statement that the school district’s acceptable use policy is available for parental review.

204 **Dissemination of Policy and Evaluation**

205 A. This policy shall be posted in the student and parent handbooks, placed in the teaching resources
206 course in the school’s Learning Management System and posted to the school’s website.

207 B. The school board shall conduct a periodic review of this policy.

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

209 15 U.S.C. § 6501 et seq.

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

211 47 C.F.R. § 54.520 (FCC rules implementing CIPA)

212 Title III of the Elementary and Secondary Education Act of 1965, 20 U.S.C.
213 §1601, et seq., as amended

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

215 Minn Stat §§ 13 Minnesota Government Data Practices Act

216 **Cross References:**

217 Policy 406 (Public and Private Personnel Data)

218 Policy 506 (Student Discipline)

219 Policy 515 (Protection and Privacy of Pupil Records)

220 Policy 521 (Student Disability Nondiscrimination)

221 Policy 522 (Student Sex Nondiscrimination)

222 MNOHS 02 Personnel Policy