

5000 STUDENTS

5200 STUDENT WELFARE

5204 **INTERNET SAFETY**

It is the policy of the Marin County Board of Education to: (a) prevent user access over its computer network to, or transmission of, inappropriate material via Internet, electronic mail, or other forms of direct electronic communications; (b) prevent unauthorized access, including "hacking", and other unlawful online activity; (c) prevent unauthorized online disclosure, use, or dissemination of personal identification information of minors; (d) comply with the Children's Internet Protection Act; (e) provide safety and security to minors when using email, chat rooms, and other forms of direct electronic communication; and provide measures that are designed to restrict access to harmful materials.

Internet access is to be used as an educational and/or work-related resource and such access shall be made available subject to such rules and regulations as may be established.

Any parent or student that has a complaint regarding discrimination, harassment or bullying may pursue resolution through Board Policy 5203.

Legal Reference: 47 USC 254(h); Public Law 106-554; 20 USC 6751-6777; 15 USC 6501-6506; 16 CFR 312.1-312.12; 47 CFR 54.520

Approved as to form:



ROBERT J. HENRY, of Counsel

Approved by Marin County Board of Education November 13, 2001

Revised and Approved by Marin County Board of Education May 11, 2010

Revised and Approved by Marin County Board of Education August 21, 2012

MARIN COUNTY OFFICE OF EDUCATION
ADMINISTRATIVE REGULATIONS AND PROCEDURES

INTERNET SAFETY
Administrative Regulation 5204

The following regulations and procedures are intended to implement the legal requirements of the Marin County Office of Education under The Children's Internet Protection Act, (CIPA) (Public Law 106-554). Such regulations and procedures shall be applied to all students having computers with Internet access to certify on or before October 28, 2001, that they have in place certain Internet safety policies and technology to block or filter certain material from being accessed through the Internet. The Protecting Children in the 21st Century Act, enacted October 10, 2008, added an additional Internet Safety Policy requirement covering the education of minors about appropriate online behavior.

Definitions

1. Access to the Internet-A computer shall be considered to have access to the Internet if such computer is equipped with a modem or is connected to a computer network which has access to the Internet.
2. Minor shall mean an individual who has not the age of 19.
3. Obscene shall have the meaning given such term in section 1460 of title 18, United States Code.
4. Child pornography shall have the meaning given such term in section 2256 of title 18, United States Code.
5. Harmful to minors shall mean any picture, image, graphic image file, or other visual depiction that:
 - a. taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion;
 - b. depicts, describes, or represents, in a 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
 - c. taken as a whole. lacks serious literary, artistic, political, or scientific value as to minors.
6. Hacking shall mean attempting to gain unauthorized access to computer and network systems connected to the Internet.
7. Technology protection measure shall refer to a proxy server managed by Marin County

Office of Education that blocks and/or filters Internet access.

Access to Internet by Minors

Minors accessing Internet services provided by the Marin County Office of Education when working as an employee or volunteer of the Marin County Office of Education; when attending classes, trainings, meetings, conferences, or other events sponsored at a facility owned or leased by the Marin County Office of Education or at a facility of which the Marin County Office of Education has otherwise been granted primary custody; or when accessing Marin County Office of Education Internet services with remote access connections shall be subject to the following rules and regulations:

1. Minors shall not access, post, submit, publish, or display harmful or inappropriate material that is obscene, child pornography, harmful to minors, threatening, disruptive, explicit, or otherwise inappropriate for educational or work-related uses, including any material that could be construed as harassment or disparagement of others based on their race/ethnicity, national origin, sex, gender, gender identity, gender expression, sexual orientation, age, disability, religion, or political beliefs.
2. Minors shall not use Marin County Office of Education technology or Internet resources to engage in hacking or attempts to otherwise compromise any computer or network system's security, including intentionally uploading, downloading or creating a computer virus or maliciously attempting to harm or destroy Marin County Office of Education equipment or materials.
3. Minors shall not engage in any illegal activities on the Internet.
4. Minors should only use electronic mail, chat rooms, and other forms of direct electronic communications for purposes related (to) education within the context of a school-related assignment activity or for purposes related to work, including volunteer, at the Marin County Office of Education.
5. Minors shall not disclose, use, or disseminate personal identification information about themselves or others on the Internet, including email, chat rooms, or other forms of direct electronic communication. Minors also shall be cautioned not to disclose such information by other means to individuals contacted through the Internet without the permission of their parents/guardians.
6. The online activities of minors shall be monitored. Marin County Office of Education reserves the right to monitor use of its Internet system for improper use without advance notice or consent. Minors shall be informed that computer files and electronic communications, including email, are not private and may be accessed by Marin County Office of Education for the purpose of ensuring proper use.
7. On an annual basis, minors will be educated, supervised and monitored on appropriate

online behavior including interacting with other individuals on social networking websites and in chat rooms and cyberbullying awareness and response.

8. Minors shall not use the Internet to encourage the use of drugs, alcohol, or tobacco, nor shall they promote unethical practices or any activity prohibited by law, Board policy, or administrative regulations.
9. Minors shall not use the Internet to engage in commercial or other for-profit activities.
10. Copyrighted material shall be posted online only in accordance with applicable copyright laws. Any materials utilized for research projects should be given proper credit as with any other printed source of information.
11. Minors and their parents/guardians will be required to sign a technology use agreement before they are permitted to use Internet services.

Access to Internet by Adults

Adults accessing Internet services provided by the Marin County Office of Education when working as an employee or volunteer of the Marin County Office of Education; when attending trainings, meetings, conferences, or other events sponsored at a facility owned or leased by the Marin County Office of Education or at a facility of which the Marin County Office of Education has otherwise been granted primary custody; or when accessing the Marin County Office of Education Internet services with remote access connections shall be subject to the following rules and regulations:

1. Adults shall not access, post, submit, publish, or display harmful or inappropriate material that is threatening, disruptive, sexually explicit, obscene, child pornography, or otherwise inappropriate for training or work-related uses, including any material that could be construed as harassment or disparagement of others based on their race, ethnicity, national origin, sex, gender, gender identity, gender expression, sexual orientation, age, disability, religion, or political beliefs.
2. Adults shall not use the Marin County Office of Education technology resources to engage in unauthorized hacking or attempts to otherwise compromise any computer or network system's security.
3. Adults shall not engage in illegal activities on the Internet.
4. An adult in whose name an online services account is issued is responsible for its proper use at all times. Adults shall keep account information, home addresses, and telephone numbers private.
5. Adults shall use the system safely, responsibly, and primarily for work-related purposes.

6. Adults shall not use the system to promote unethical practices or any activity prohibited by law, Board policy, or administrative regulations.
7. Adults shall not use the system to engage in commercial or other for-profit activities without permission of the County Superintendent or designee.
8. Copyrighted material shall be posted online only in accordance with applicable copyright laws.
9. Adults shall not attempt to interfere with other users' ability to send or receive email, nor shall they attempt to read, delete, copy, modify, or forge other users' email.
10. Adults shall not develop any classroom or work-related web sites, blogs, forums, or similar online communications representing the Marin County Office of Education or using Marin County Office of Education equipment or resources without permission of the County Superintendent or designee.
11. Adults shall report any security problem or misuse of the services to the Superintendent or designee.
12. Adults shall be notified that computer files and electronic communications, including email, are not private. To ensure proper use, Marin County Office of Education may monitor usage of technological resources, including the accessing of email and stored files. Monitoring may occur at any time without advance notice or consent.

Technology Protection Measure

The Marin County Office of Education shall use a technology protection measure that blocks and/or filters Internet access to prevent access to Internet sites that are not in accordance with the Policies of the Marin County Office of Education.

1. The technology protection measure that blocks and/or filters Internet access may be disabled by an authorized staff member for bona fide research purposes with permission of the immediate supervisor of the staff member requesting said disabling or with the permission of the administrator of the Marin County Office of Education.

Policy Violations

Any violation of this policy may result in the loss of access to the Internet by the Marin County Office of Education. Additional disciplinary action may be determined in accordance with existing procedures and practices, both administrative and as stipulated in the Marin County Office of Education board policy, and including applicable law enforcement agencies when necessary.

Policy Challenge Procedure

An individual who has been granted access to the Internet by the Marin County Office of

Education and desires to access an Internet site that is not compliant with this policy may challenge the enforcement of the policy according to the following provisions:

1. Internet site review requests should be directed to the Marin County Office of Education's Director of Business and Information Services in writing for consideration.
2. The Marin County Office of Education will review the site within seven working days of submission of the request and, if deemed appropriate for educational or work-related purposes, may unblock the site.
3. The Marin County Office of Education shall regulate enforcement of the policy, including disciplinary actions.