

FRESNO COUNTY SUPERINTENDENT OF SCHOOLS
FRESNO COUNTY BOARD OF EDUCATION**Instruction**
STUDENT USE OF TECHNOLOGY

The County Superintendent and County Board intend that technological resources provided by the County Superintendent be used in a safe and responsible manner in support of the instructional program and for the advancement of student learning. All students using these resources shall receive instruction in their proper and appropriate use.

Teachers, administrators, and/or library media specialists are expected to review the technological resources and online sites that will be used in the classroom or assigned to students in order to ensure that they are appropriate for the intended purpose and the age of the students.

The County Superintendent or designee shall notify students and parents/guardians about authorized uses of County Superintendent technology, user obligations and responsibilities, and consequences for unauthorized use and/or unlawful activities in accordance with this policy and the County Superintendent's Acceptable Use Agreement.

County Superintendent technology includes, but is not limited to, computers, the County Superintendent's computer network including servers and wireless computer networking technology (wi-fi), the Internet, email, USB drives, wireless access points (routers), tablet devices, smartphones and smart devices, telephones, cellular telephones, personal digital assistants, pagers, MP3 players, wearable technology, any wireless communication device including emergency radios, and/or future technological innovations, whether accessed on or off site or through County Superintendent-owned or personally owned equipment or devices.

Before a student is authorized to use County Superintendent technology, the student and his/her parent/guardian shall sign and return the Acceptable Use Agreement. In that agreement, the parent/guardian shall agree not to hold the County Superintendent, County Board, County Superintendent and County Board agents, and any County Superintendent staff responsible for the failure of any technology protection measures or user mistakes or negligence and shall agree to indemnify and hold harmless the County Superintendent, County Board, County Superintendent and County Board agents, and County Superintendent staff for any damages or costs incurred.

The County Superintendent reserves the right to monitor student use of technology within the jurisdiction of the County Superintendent without advance notice or consent. Students shall be informed that their use of County Superintendent technology, including, but not limited to, computer files, email, text messages, instant messaging, and other electronic communications, is not private and may be accessed by the County Superintendent for the purpose of ensuring proper use. Students have no reasonable expectation of privacy in use of the County Superintendent technology. Students' personally owned devices shall not be searched without consent except in cases where there is a reasonable suspicion, based on specific and objective facts, that the search will uncover evidence of a violation of law, County Superintendent/County Board policy, or school rules.

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Whenever a student is found to have violated County Superintendent/County Board policy or the County Superintendent's Acceptable Use Agreement, the lead site administrator or designee may cancel or limit a student's user privileges or increase supervision of the student's use of the County Superintendent's equipment and other technological resources, as appropriate. Inappropriate use also may result in disciplinary action and/or legal action in accordance with law, County Superintendent/County Board policy, and school rules.

The County Superintendent or designee, with input from students and appropriate staff, shall regularly review and update procedures to enhance the safety and security of students using County Superintendent technology and to help ensure that the County Superintendent adapts to changing technologies and circumstances.

Internet Safety

The County Superintendent or designee shall ensure that all County Superintendent computers with Internet access have a technology protection measure that protects against access to visual depictions that are obscene, child pornography, or harmful to minors and that the operation of such measures is enforced. (20 USC 7131; 47 USC 254; 47 CFR 54.520)

To reinforce these measures, the County Superintendent or designee shall implement rules and procedures designed to restrict students' access to harmful or inappropriate matter on the Internet and to ensure that students do not engage in unauthorized or unlawful online activities.

Harmful matter includes matter, taken as a whole, which to the average person, applying contemporary statewide standards, appeals to the prurient interest and is matter which depicts or describes, in a patently offensive way, sexual conduct and which lacks serious literary, artistic, political, or scientific value for minors. (Penal Code 313)

The County Superintendent's Acceptable Use Agreement shall establish expectations for appropriate student conduct when using the Internet or other forms of electronic communication, including, but not limited to, prohibitions against:

1. Accessing, posting, submitting, publishing, or displaying harmful or inappropriate matter that is threatening, obscene, disruptive, or sexually explicit, or that could be construed as harassment or disparagement of others based on their race/ethnicity, national origin, sex, gender, sexual orientation, age, disability, religion, or political beliefs.
2. Intentionally uploading, downloading, or creating computer viruses and/or maliciously attempting to harm or destroy County Superintendent equipment or materials or manipulate the data of any other user, including so-called "hacking."
3. Distributing personal identification information, including the name, address, telephone number, Social Security number, or other personally identifiable information, of another student, staff member, or other person with the intent to threaten, intimidate, harass, or ridicule that person.

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The County Superintendent or designee shall provide age-appropriate instruction regarding safe and appropriate behavior on social networking sites, chat rooms, and other Internet services. Such instruction shall include, but not be limited to, the dangers of posting one's own personal identification information online, misrepresentation by online predators, how to report inappropriate or offensive content or threats, behaviors that constitute cyberbullying, and how to respond when subjected to cyberbullying.

Adopted: 10/20/2011

Amended: 11/19/2020

Legal ReferenceEducation Code

49073.6 Student records; social media
51006 Computer education and resources
51007 Programs to strengthen technological skills
60044 Prohibited instructional materials

Penal Code

313 Harmful matter
502 Computer crimes, remedies
632 Eavesdropping on or recording confidential communications
653.2 Electronic communication devices, threats to safety

United States Code, Title 15

6501-6506 Children's Online Privacy Protection Act

United States Code, Title 20

7101-7122 Student Support and Academic Enrichment Grants
7131 Internet safety

United States Code, Title 47

254 Universal service discounts (E-rate)

Code of Federal Regulations, Title 16

312.1-312.12 Children's Online Privacy Protection Act

Code of Federal Regulations, Title 47

54.520 Internet safety policy and technology protection measures, E-rate discounts

Court Decisions

New Jersey v. T.L.O., (1985) 469 U.S. 325

Management ResourcesCSBA Publications

Cyberbullying: Policy Considerations for Boards, Policy Brief, July 2007

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Federal Trade Commission Publications

How to Protect Kids' Privacy Online: A Guide for Teachers, December 2000

Websites

CSBA: <http://www.csba.org>

American Library Association: <http://www.ala.org>

California Coalition for Children's Internet Safety: <http://www.cybersafety.ca.gov>

Center for Safe and Responsible Internet Use: <http://csriu.org>

Federal Communications Commission: <http://www.fcc.gov>

Federal Trade Commission, Children's Online Privacy Protection:
<http://www.ftc.gov/privacy/privacyinitiatives/childrens.html>

U.S. Department of Education: <http://www.ed.gov>