

Board Policy

Student Use of Electronic Communications and Telecommunications Equipment

System Definition

Eastern Suffolk BOCES may provide students with access to various electronic information resources such as computer hardware, software, networks and electronic communication systems, including, but not limited to, telephones, fax machines, photocopiers, and personal digital assistants (PDAs) through the ESBOCES Communication Systems (BCS). This may include access to electronic mail, "on-line services," "WiFi," the "Internet," and videoconferencing. It may also include the opportunity for students to have independent access to the BCS from home or other remote locations. All use of the BCS, including independent use off ESBOCES premises, shall be subject to Board policies and administrative regulations, including those governing student use of electronic communications and telecommunications equipment. Further, all such use must be in support of education and/or research and consistent with the goals and purposes of ESBOCES. All components of the BCS, including, but not limited, to computers and computer accounts, belong to ESBOCES and should be used for educational purposes.

Purpose

The Board encourages use of the BCS to explore educational topics, conduct research, and explore curriculum-related communication to further the educational mission of ESBOCES. It is anticipated that access to various electronic information resources will expedite and enhance the student's ability to perform curriculum-related tasks and assignments. Toward that end, ESBOCES shall provide student orientation and parent information about this Board policy and the related administrative regulation.

Access to Inappropriate Content/Material and Use of Personal Technology or Electronic Devices

This policy is intended to establish general guidelines for the acceptable student use of the BCS and also to give students and parents/guardians notice that student use of the BCS will provide student access to external computer networks not controlled by ESBOCES. ESBOCES cannot screen or review all of the available content or materials on these external computer networks. Thus, some of the available content or materials on these external networks may be deemed unsuitable for student use or access by parents/guardians.

Despite the existence of ESBOCES policy, regulations and guidelines, it is virtually impossible to completely prevent access to content or material that may be considered inappropriate for students. Students may have the ability to access such content or material from their home, other locations off ESBOCES premises, and/or with a student's own personal technology or electronic device on ESBOCES premises or at ESBOCES events. Parents and guardians must be willing to establish boundaries and standards for the appropriate and acceptable use of technology and communicate these boundaries and standards to their children. The appropriate/acceptable use standards outlined in this policy apply to student use of technology via the BCS or any other electronic media or communications, including by means of a student's own personal technology or electronic device on ESBOCES premises or at ESBOCES events.

Acceptable/Unacceptable Use

ESBOCES shall take reasonable precautions to ensure student safety and acceptable use of the BCS. These precautions shall include, but not be limited to, electronic filters and classroom/other monitoring systems as deemed necessary to restrict access that may be harmful, inappropriate, or unsafe for our students. ESBOCES will employ filtering technology on computers with Internet access. The filtering system shall enable ESBOCES to block or filter Internet access to obscene materials, child pornography, or other materials which are harmful to minors as those terms are defined in the Children's Internet Protection Act (CIPA). ESBOCES shall have the discretion to determine which materials are inappropriate pursuant to those definitions.

The on-line activities of students shall be monitored to ensure compliance with all of the above.

Generally, the same standards of acceptable conduct that apply to any aspects of behavior governed by the ESBOCES Code of Conduct and the Dignity for All Students Act shall apply to use of the BCS. Students are expected to communicate in an appropriate manner consistent with Board policies and administrative regulations. The BCS is to be used only for ESBOCES-related activities. Direct electronic communications (including, but not limited to, videoconferencing, chat rooms, and instant messaging) may not be used unless prior authorization has been obtained from an ESBOCES employee. Electronic communications and telecommunications equipment are not to be utilized to share confidential information (such as student personal data) or copyrighted or inappropriate information. In order to access the BCS, students and/or their parents/guardians must acknowledge, in writing, that they understand and accept the guidelines for acceptable use.

Discipline

Students who engage in unacceptable use may lose access to a portion or all of the BCS and may be subject to further discipline. These disciplinary actions will be consistent with Administrative Regulation 2410R.1 – Code of Conduct - and tailored to meet specific concerns related to the violation. Students who willfully, maliciously, or unlawfully damage or destroy ESBOCES or other electronic information resources (sometimes referred to as "hacking") may be subject to legal action. Further, ESBOCES may bring an action against the parents/guardians of any minor student (over the age of ten (10) but under the age of eighteen (18)) who willfully, maliciously, or unlawfully damages or destroys ESBOCES premises pursuant to General Obligations Law Section 3-112.

In addition to Board policies and administrative regulations, students shall also adhere to Federal and State laws and regulations governing electronic communications, including, but not limited to, copyright laws, rights of software publishers, license agreements, and rights of privacy.

This policy does not attempt to articulate all required and/or acceptable uses of the BCS, nor is it the intention of this policy to define all inappropriate usage.

An administrative regulation further describes general guidelines for appropriate conduct and use, as well as proscribed behavior.

Limitation of Liability

ESBOCES will make reasonable efforts to assist students who are experiencing technical problems with the BCS. However, ESBOCES makes no warranties of any kind, either expressed or implied, that the functions, filters, or the services provided by or through the BCS will be error-free or without defect. ESBOCES will not be responsible for damages students may incur, including, but not limited to, loss of data or interruptions of service. ESBOCES is not responsible for the accuracy or quality of the information obtained through or stored on the BCS. ESBOCES will not be responsible for obligations, financial or otherwise, incurred as a result of the unauthorized use of the BCS.

Privacy Rights

1. No Expectation of Privacy

Computers and computer accounts are provided to students to assist them in completing educationally related tasks and assignments and to help prepare them for academic success and future work and careers. Students have no expectation of privacy in anything they create, store, send, or receive on the BCS. By accessing the BCS, the student has consented to ESBOCES exercise of its authority and the rights set forth in this policy, including the right to monitor any information or communication stored or transmitted over the BCS.

Student data files and other electronic storage areas will be treated like school lockers. This means that such areas shall be considered to be ESBOCES premises subject to control and inspection. Appropriate administrative staff may access all such files and communications without prior notice to ensure system integrity and that users are complying with the requirements of this policy and accompanying regulation. Students should NOT expect that information stored on the BCS will be private.

2. Waiver of Privacy Rights

Students expressly waive any right of privacy in anything they create, store, send, or receive through the BCS, including the computer. Students consent to allow ESBOCES employees to access and review all materials students create, store, send, or receive through the BCS, including the computer and through computer networks and the Internet. Students acknowledge that ESBOCES may use human or automated means to monitor use of the BCS resources.

Notification

This policy and associated regulation will be disseminated to students and parents/guardians in order to provide notice of ESBOCES requirements, expectations, and students' obligations when accessing the BCS.

Implementation

An administrative regulation has been developed to implement the terms of this policy.

References:

- Dignity for All Students Act
- Children's Internet Protection Act (CIPA), codified as 20 USC §§6801, 6777, 9134 (2003); 47 USC §254 (2003)
- [General Obligations Law §3-112](#)
- Board Policy 7151 - Internet Content Filtering
- [Administrative Regulation 2410R.1 – Code of Conduct](#)
- Administrative Regulation 6216R.1 – Student Use of Electronic Communications and Telecommunications Equipment

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