

## Regulation 6163.4: Student Use Of Technology

Status: DRAFT

Original Adopted Date: 03/26/1998

### San Jose Unified School District Network and Internet Regulations

#### Introduction

The coming years will radically change the way everyone relates to the world. The information super highway is a reality. From a computer anyone will be able to travel all over the world to gather information. As more people travel this electronic highway, maps to find information and rules to keep a person traveling safely become vital to successfully completing the journey.

The San Jose Unified School District Network (SJUSDNET) and the Internet represent powerful educational resources that allow anyone to find information in this world-wide electronic network. A person is be able to connect to businesses, universities, libraries, schools, and students around the world.

Students are required to learn the correct procedures and rules for using SJUSDNET and the Internet. At the beginning of each school year, parents/guardians shall receive a copy of the district's policy and administrative regulation regarding access by students to the Internet and on-line sites. The district insists that all students obey the regulations included in this document. Users who violate any of these rules will not be allowed to continue to use the SJUSDNET or Internet.

The SJUSDNET and Internet offer many opportunities for "electronic field trips" to distant locations. The district considers all connections to remote locations as field trips. Therefore, the rules that apply to student conduct on field trips also apply to these "electronic field trips." It is important that students realize they are acting as an ambassador for their school and district.

#### Internet

The Internet is a global network, made up of many smaller contributing networks, that support the open exchange of information among many different kinds of institutions all over the world. This system gives immediate access to information. It is like being able to open every book in any library from one's computer. A person can access and print articles, documents, and pictures that can be used in work here in the district. A person can even get information about news, weather, and sports.

#### San Jose Unified School District Network

SJUSDNET is one of the networks that make up the Internet. Each of the district's offices, libraries, and classrooms is part of SJUSDNET and Internet. This network supports activities which have great value for students and parents/guardians.

#### Before You Begin

Before beginning to use SJUSDNET and Internet, it is important that everyone understands that the use of this powerful tool is a privilege. It can provide a person with countless hours of exploration and access to almost any information. However, like a driver's license its use can be taken away for breaking the rules.

The Internet includes some material not suited for students. The intent of the district is that SJUSDNET and Internet are used only for purposes consistent with district policy and its strategic goals. Anyone who uses the SJUSDNET or Internet improperly, for profit, or illegally, will lose the privilege.

#### Who Is Watching?

SJUSDNET and Internet are "public places." Each of us must remember that we are sharing this space with many other users. Potentially millions of people may be using the network at the same time. Actions can be monitored by others on the network. If anyone uses a particular service on the network, chances are good that someone knows the connections that are being made, knows about the computer shareware that has been borrowed, and knows what was looked at while the network was being used. Because these network services are granted to students, parents/guardians, and community members, the district reserves the right to monitor all traffic to make sure SJUSDNET continues to function properly for all its users.

## Conduct Codes

The state, district, and schools have a behavior code for all students and staff that details appropriate behaviors, outlines rights, and sets expectations. SJUSDNET and Internet are used as part of school activities and are, therefore, covered by these codes.

When using the network, keep the following in mind:

1. You cannot see with whom you are communicating;
2. You cannot tell the age or even the gender of the other person;
3. A person can say anything, yet you cannot always be sure what is said is true;
4. Absolute privacy cannot be guaranteed in a network environment. Think carefully about what you say and how you say it;
5. Do not give out a home phone number, social security number, credit card number, or address to anyone;
6. Do not harass other users. If a user requests to no longer receive mail or be contacted, feel obliged to stop all contact immediately. You may feel you have the right of freedom of expression, but others have the right to be free from harassment.
7. Viruses and worms damage data. If you are responsible for a computer becoming infected with viruses or worms, you will be held liable even if you are not the original author of the virus or worm.

## Moral and Ethical Issues

The district wants students and parents/guardians to use the valuable educational resources of SJUSDNET and Internet; but the district cannot support the use of inappropriate information on the Internet. Students and parents/guardians acknowledge the fact that these materials exist and agree to do everything possible to avoid them. Materials that are inappropriate cannot be made unavailable without also making many of the valuable resources unavailable. It is to be clearly understood by students and parents/guardians, that access to inappropriate material in any form is strictly forbidden. The network is designed to achieve and support instructional goals. Information that does not support classroom learning is to be avoided.

## Using the Resources

It may seem that there is no limit to the resources on SJUSDNET and Internet, but all computing systems have a limited capacity to handle traffic. This means that the more users there are on the network, the more congested the network becomes. If there are too many users at any given time, the traffic on the network grinds to a crawl, just like commute traffic on the freeway. Some users may even be cut off altogether. To help avoid "gridlock", users should not be using SJUSDNET or Internet for activities not directly related to the goals of the district. Remember, there are many other people who need to use the network.

## Legal Issues

### 1. The Law

The state of California passed a computer crime bill in December of 1979. They added section 502 to the Penal Code, making it a felony to intentionally access any computer system or network for the purpose of devising or executing any scheme to defraud or extort, or obtaining money, property or services with false or fraudulent intent, representations or promises.

It is also a felony to maliciously access, alter, delete, damage or destroy any computer system, computer network, computer program, or data. Penalties include fines up to \$5,000 and/or imprisonment in the state prison for up to three years or the county jail for up to one year. Anyone committing acts of this kind will face disciplinary action by the school. The person will be punished to the full extent of the law.

Some examples of offenses include removing another user's accounts, changing other user's password, using an unauthorized account, damaging any files, altering the system, or using the system to make money illegally. No one should cause damage to any school or district property. This includes the network system.

### 2. Plagiarism

The dictionary defines plagiarism as "taking ideas or writings from another person and offering them as your own". The student who leads readers to believe that what they are reading is the student's original work when it is not is guilty of plagiarism. Credit should always be given to the person who created the article or the idea.

Be careful when using the Internet. Cutting and pasting ideas into a document is very easy to do. So, be sure that credit is given to the author. That way everyone will know which ideas are original, and no one will be guilty of plagiarism.

### 3. Copyright

Copyright is another issue. According to the Federal Copyright Act of 1976, "fair use" means that information that is legally found on the Internet may be freely used as long as it is used only for scholarly purposes. No one may plagiarize or sell what is found.

Suppose, for example, that you find a copy of Excel on the Internet. Can you legally copy it? The answer is NO. This is copyrighted software. You have to purchase software packages before you use them legally. Suppose you find an article about the use Excel on the Internet. Can you legally copy it? The answer is YES, as long as you give credit to the author and do not sell the article.

### 4. Ownership

It is very important that everyone clearly understands that any software, information, image or data anyone places on or transmits through any portion of SJUSDNET, or its servers, is the sole and exclusive property of the district. No person owns this information; the district does. Obviously this does not apply to copyrighted products owned by someone else, but then no one should be placing someone else's property on the network in the first place.

#### SJUSDNET Usage Rules and Regulations

The district declares unethical and unacceptable behavior to be just cause for taking disciplinary action, revoking networking privileges, and/or initiating legal action for any activity through which an individual:

1. Uses SJUSDNET for illegal, or obscene purposes, or in support of such activities. Illegal activities shall be defined as violation of local, state and/or federal laws. Inappropriate use shall be defined as a violation of the intended use of the network, and /or its purposes and goals. Obscene activities shall be defined as a violation of generally accepted community standards for use of a publicly owned and operated communication vehicle;
2. Uses SJUSDNET for any illegal activity. In addition to the obvious (extortion, drug dealing, pornography, etc.), this also includes violation of copyrights, violation of other contracts, violating such matters as institutional or third party copyright, license agreements, plagiarism, and other contracts;
3. Uses SJUSDNET for any activity that incites or encourages violence, the use of drugs, alcohol or tobacco;
4. Intentionally disrupts network traffic or crashes the network and connected systems;
5. Degrades or disrupts equipment or system performance;
6. Uses SJUSDNET computing resources for any commercial transaction or financial gain or fraud;
7. Steals data, equipment, or intellectual property;
8. Gains unauthorized access to others' files, or vandalizes the data of another user;
9. Forges electronic mail messages, or uses an account owned by another user;
10. Attempts to interfere with another user's ability to send or receive electronic mail messages, or posts anonymous messages;

#### Consequences of Violations

Consequences of violations include but are not limited to:

1. Revocation of Internet access;
2. Revocation of SJUSDNET privileges;

3. Revocation of computer access;

4. School suspension or expulsion;

5. Legal action and/or lawsuit under civil law;

6. Legal action and/or prosecution under criminal law.

If you are accused of any of these violations, you have all of the rights and privileges that you would have if you were accused of violating criminal law, another's civil rights or the policies of the district.

#### San Jose Unified School District Internet Use Policy

#### Signature Form

I, (student), on (date) have read the San Jose Unified School District's Internet Use Policy guidelines, and agree to abide by them.

I, (parent/guardian), on (date) have reviewed the San Jose Unified School District's Internet Use Policy and guidelines, and approve of my child's use of the Internet.

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**Policy Reference Disclaimer:** These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the Governing Board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

#### State

Civ. Code 3120-3123

Ed. Code 49073.6

Ed. Code 51006

Ed. Code 51007

Ed. Code 60044

Pen. Code 313

Pen. Code 502

Pen. Code 632

Pen. Code 653.2

#### Description

[Digital equity bill of rights](#)

[Student records; social media](#)

[Computer education and resources](#)

[Programs to strengthen technological skills](#)

[Prohibited instructional materials](#)

[Harmful matter](#)

[Computer crimes; remedies](#)

[Eavesdropping on or recording confidential communications](#)

[Electronic communication devices; threats to safety](#)

#### Federal

15 USC 6501-6506

16 CFR 312.1-312.12

20 USC 7101-7122

20 USC 7131

47 CFR 54.520

47 USC 254

#### Description

[Children's Online Privacy Protection Act](#)

Children's Online Privacy Protection Act

Student Support and Academic Enrichment Grants

[Internet Safety](#)

[Internet safety policy and technology protection measures; E-rate discounts](#)

[Universal service discounts \(E-rate\)](#)

#### Management Resources

California Department of Education Publication

Court Decision

CSBA Publication

Federal Trade Commission Publication

#### Description

[Artificial Intelligence: Learning With AI Learning About AI](#)

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

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

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

**Management Resources**

U.S. Department of Education Publication  
USDOE Office of Educational Technology  
Publication  
Website  
Website  
Website  
Website  
Website  
Website  
Website  
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**Description**

[2024 National Education Technology Plan](#)  
[Artificial Intelligence and the Future of Teaching and Learning: Insights and Recommendations, May 2023](#)  
[California Governor's Office of Emergency Services](#)  
[CSBA District and County Office of Education Legal Services](#)  
[California Coalition for Children's Internet Safety](#)  
[Center for Safe and Responsible Internet Use](#)  
[Federal Trade Commission, Children's Online Privacy Protection](#)  
[American Library Association](#)  
[Federal Communications Commission](#)  
[California Department of Education](#)  
[U.S. Department of Education](#)  
[CSBA](#)

**Cross References**

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**Description**

[District And School Websites](#)  
[District And School Websites](#)  
[District-Sponsored Social Media](#)  
[District-Sponsored Social Media](#)  
[Fees And Charges](#)  
[Equipment](#)  
[Equipment](#)  
[Employee Use Of Technology](#)  
[Employee Use Of Technology](#)  
[Staff Development](#)  
[Staff Development](#)  
[Student Records](#)  
[Student Records](#)  
[Withholding Grades, Diploma Or Transcripts](#)  
[Conduct](#)  
[Bullying](#)  
[Bullying](#)  
[Academic Honesty](#)  
[Discipline](#)  
[Discipline](#)  
[Suspension And Expulsion/Due Process](#)  
[Suspension And Expulsion/Due Process](#)  
[Suspension And Expulsion/Due Process \(Students With Disabilities\)](#)  
[Search And Seizure](#)  
[Search And Seizure](#)

**Cross References**

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**Description**

[Nondiscrimination/Harassment](#)  
[Nondiscrimination/Harassment](#)  
[Sex Discrimination and Sex-Based Harassment](#)  
[Sex Discrimination and Sex-Based Harassment](#)  
[Hate-Motivated Behavior](#)  
[Before/After School Programs](#)  
[Before/After School Programs](#)  
[Comprehensive Health Education](#)  
[Homework/Makeup Work](#)  
[Homework/Makeup Work](#)  
[Student Assessment](#)  
[Student Assessment](#)  
[Use Of Copyrighted Materials](#)  
[Use Of Copyrighted Materials](#)  
[Research](#)  
[Research](#)  
[Library Media Centers](#)