

**Student
Internet Ethics
and
Acceptable Use Agreement**

for
San Joaquin County Office of Education
Data Processing JPA

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San Joaquin County Office of Education

Data Processing JPA

Student Internet and Network Access Ethics

I. INTRODUCTION

During the past five years access to the Internet has radically changed the way our county and school districts relate to the world. The information super highway has become a reality. From your school, the district office, or from your home, you are able to travel all over the world to gather information. As we continue to travel this electronic highway, rules to keep traveling safe have become even more vital to successfully completing the journey.

The San Joaquin County Office of Education Data Processing JPA Network (IT JPA WAN) and the Internet represent powerful resources which allow you to find information in this world-wide electronic network. You are able to connect to and correspond with businesses, major universities, national libraries, other schools, and other people around the world.

Just as you learn social codes and behaviors which are acceptable at your school, you need to learn the correct procedures and rules for using the network of information services. We require all students to adhere to these guidelines. ***If you break any of these rules, you will not be allowed to continue to use the system.***

At the beginning of each school year, you and your parents, or legal guardians, will be required to sign the *Consent and Waiver* form attached. This means that you and your parents are aware of the school rules and proper procedures for using the Internet and the IT JPA WAN, and the consequences which would result if these rules are broken. This signed statement becomes your permission slip to take trips on the information highway.

II. THE INTERNET

The Internet is a global technology network made up of many smaller contributing networks to support the open exchange of information among many different kinds of institutions all over the world. This system gives immediate access to information. It's like being able to open any book in any library from your computer. You can look at (and print out) articles, documents, and pictures, and review current facts about news, weather, and sports that you may use in your classes.

III. IT JPA WAN

The IT JPA WAN is one of the hundreds of thousands of networks that make up the Internet. The DP JPA Department of Information Technology has connected most of the district offices and many of schools sites to the Internet through direct high speed connections within the IT JPA WAN. Access through the Internet

will typically occur in the school site libraries and at other locations such as student computer centers and classrooms. The IT JPA WAN provides information sharing and communication with other districts and school sites possible. This network supports activities which have educational value for administration, teachers, students, and parents.

IV. GETTING STARTED

Before you begin to use the IT JPA WAN and its connection to the Internet, it is important to your teachers, parents, and school administrators that you understand the many consequences of the new computer connections that you wish to make. It is important that you understand that your use of this powerful educational tool is a privilege. It can provide you with countless hours of exploration and use, but like a driver's license, it is a privilege that can be taken from you for breaking the rules. The Internet does include some material that is not suited for students. The intent of San Joaquin County Office of Education Department of Information Technology JPA (DP JPA) is for students to use connections to the Internet only for purposes consistent with the school district's approved curriculum. Anyone who uses the network illegally or improperly will lose the privilege of using it. Additionally, you cannot use the IT JPA WAN for commercial, political, or for profitable services. This document will detail for you what is the proper way to use this communication tool.

V. WHO IS WATCHING?

The Internet and IT JPA WAN are "public places." You must always remember that you are sharing this space with many others users. Potentially, millions of individuals at the same time may be interacting across the network. Your actions can be monitored by others on the network. If you use a particular service on the network chances are that someone knows the connections that you are making, knows about the computer shareware that you have borrowed, and knows what you looked at while you were in the system. Because these connections are granted to you as part of the larger scope of educational materials, the DP JPA reserves the right to monitor all traffic on the network. We do this to make sure that the network continues to function properly for all of its users.

VI. SCHOOL CONDUCT CODES

Your school or district office has a behavior code and student handbook for all students that detail appropriate school behavior, outline rights, and set expectations for students. Because the IT JPA WAN is used as part of a school activity, the school's code of conduct applies to network activities as well. Therefore, the network use policy is an extension of the school's behavior code. These rules apply to vandalism of computer equipment, unauthorized access to information, computer piracy, and any tampering with hardware or software.

These rules also apply to the electronic use of harassing and abusive or obscene language, and the sending or receiving of obscene images (sexting). You may not use the network to annoy, harass, cyberbully, or offend other people.

“Harassing” means to engage in a knowing and willful course of conduct directed at another which seriously alarms, annoys, or harasses another, and which serves no legitimate purpose. In addition, “harassment” shall also mean to subject another to unwelcome sexual advances, request for sexual

favors and other verbal, visual or physical conduct of a sexual nature as set forth in California Education Code section 212.5

Other types of damage and information loss to a computer system are viruses and worms. If you are responsible for a computer becoming infected with viruses or worms, you could be held liable.

VII. MORAL AND ETHICAL ISSUES

The moral and ethical issues involving the use of world-wide information systems deal with the appropriate access to information, the type of information accessed, and the behavior of the user. DP JPA wants to provide you with a stimulating educational environment, but at the same time, we want to protect you from information that is not appropriate for students to use.

The DP JPA wants you to use this valuable educational tool, but at the same time we cannot condone the use of inappropriate information on the Internet. We simply acknowledge the fact that these materials exist and then do everything we can to actively avoid them. We cannot weed out all of the materials that are unacceptable for academic purposes, but it should be clearly understood by all students that access to such material in any form is strictly forbidden. The network is designed to achieve and support instructional goals, and any information that does not support classroom learning is to be avoided.

Although the actual percentage of unacceptable materials is small, it is a cause for concern for students, parents, and teachers. If a student stumbles onto the information while doing legitimate research, he should contact your teacher or the person responsible for technology at your school.

VIII. ELECTRONIC LIBRARIES

Guidelines for access to information have already been established in the Library Bill of rights of 1980. These principles can be applied to the Internet. This document states that “attempts to restrict access to library materials violate the basic tenets of the *Library Bill of Rights*; however, school librarians are required to devise collections that are ‘consistent with the philosophy, goals, and objectives of the school district.’” This means that students have the right to information, but the school has the right to restrict any information that does not apply to the approved curriculum.

It is not farfetched to consider the Internet as a vast digital library. After all, the electronic-database and information-search tools it uses are rapidly becoming part of school media centers and libraries, and many public libraries are beginning to offer some type of network access as part of their services.

The IT JPA WAN provides just such a connection to establish direct access to the appropriate materials that support curricular concerns.

IX. USING THE RESOURCES AND TRANSMITTING MESSAGES

It may seem that there is no limit to the resources on the Internet, but the IT JPA WAN has a limited capacity to handle traffic. This means 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 a traffic jam on a freeway. Some users may be cut off altogether. Although the network may slow down,

normally it will continue to function. The following list will help avoid gridlock on the Internet and the IT JPA WAN, and it provides guidelines for the proper creation and transmission of documents and messages:

- Do not tie up the network with idle activities
- Do not play games with others on the network or on the Internet. Play games on your own time and on your own equipment.
- Do not download huge files from places half a globe away. Take only the information you want and need. The best thing to do is get into the Internet, get what you need, and get out. Remember, there are many students who need to use this system.
- Do not send lengthy materials or mail; be brief.
- Do not send messages to large audiences when a small audience is appropriate.
- Do not send documents with spelling errors and make sure that your message is easy to read and understand.
- Do not use vague or inaccurate titles or descriptions for your documents.
- Do not send messages in poor humor or taste.
- Do not fail to cite references for any facts you represent.
- Do not attack Internet correspondents; persuade them with facts. Don't forget, they are human beings.
- Do not post messages to unknown groups.
- Do not use e-mail for commercial purposes.

X. ELECTRONIC FIELD TRIPS

The Internet and IT JPA WAN offer many opportunities for "electronic field trips" to distant locations. The DP JPA considers all connections to remote locations as field trips. Therefore, the rules that apply to student conduct on field trips apply to these electronic field trips as well. It is important that you realize you are acting as an ambassador for your school. Just as parental/guardian permission slips are required before you may take field trips, your parents, or legal guardians, have to give you permission for electronic field trips by signing the attached contract.

XI. EXPECTED BEHAVIOR

You are expected to use the network to pursue intellectual activities, seek resources, access libraries and find international friends. We want you to explore this new "space" and discover what is available there. We want you to learn new things and share that newfound knowledge with your friends, parents, and teachers.

When you are using the computer network and communicating with others in remote or even close locations, keep the following in mind: (1) You cannot see them; (2) You cannot tell how old they are or even what sex they are; (3) They can tell you anything, and you cannot always be sure what they are telling you is true; and (4) Absolute privacy cannot be guaranteed in a network environment. So, you need to think carefully about what you say and how you say it.

For your own safety and for the safety of others, remember to exercise caution when you are communicating with people in the outside world. **Do not give out your home phone number or your address to anyone.** They do not need to have that information. If you feel there is a problem or if you feel uncomfortable with the information someone is giving you, tell your teacher or school site technology coordinator immediately.

By the same token, you may not harass other users. You do not want to run the risk of breaking the law by bothering other people. If a user on the network asks that you no longer send him/her e-mail or in any other way contact him/her, you are 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.

XII. LEGAL ISSUES

A. The Law

The State of California passed a computer crime bill in December 1979. The bill added section 502 to the Penal Codes making it a felony to intentionally and without permission access any data, computer, computer system or network for the purpose of: (1) devising any scheme or artifice to defraud, deceive or extort or (2) wrongfully obtaining money, property, or data.

It is also a felony to knowingly and without permission access, add, alter, delete, damage, or destroy any computer, computer system, computer software, computer program, or data. Penalties includes fines up to \$10,000 and/or imprisonment in the state prison for up to 16 months or in the county jail for two or three years, or a fine of \$5,000 and/or imprisonment in the county jail for up to one year. Anyone committing acts of this kind will face police charges and disciplinary action by the school. The person will be punished to the full extent of the law.

Some examples of offenses are removing another user's accounts, changing other user's passwords, using an unauthorized account, damaging any files, altering the system, or using the system to make money illegally. You may not cause damage to any school or district property. This includes the network system.

B. 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 idea.

Be careful when you are using the Internet. Cutting and pasting ideas into your own document is very easy to do. So, be sure that you give credit to the author. That way your teacher will know which ideas are yours, and you won't be guilty of plagiarism.

C. Copyright

Copyright is another issue altogether. According to the Copyright Act of 1976, "Fair Use" means that you may freely use any information that you legally find on the Internet as long as you do so only for scholarly purposes. You may not plagiarize or sell what you find.

Suppose, for example, that you find a copy of Microsoft Works on the Internet. Could 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 of Microsoft Works 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 for profit.

XIII. DP JPA POLICY

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

- Uses the IT JPA WAN for illegal, inappropriate, or obscene purposes, or in support of such activities. Illegal activities shall be defined as a 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 purpose and goal. Obscene activities shall be defined as a violation of generally accepted social standards for use of a publicly-owned and operated communication vehicle.
- Uses the IT JPA WAN for any illegal activity, including violation of copyrights or other contracts violating such matters as institutional or third party copyright, license agreements and other contracts.
- Uses the IT JPA WAN to access harmful matter.
Penal Code section 313 defines "harmful matter" as "matter, taken as a whole, which to the average person, applying contemporary statewide standards, appeals to the prurient interest, and is matter which, taken as a whole, depicts or describes in a patently offensive way sexual conduct and which, taken as a whole, lacks serious literary, artistic, political, or scientific value for minors."
- Intentionally disrupts network traffic or crashes the network and connected systems.
- Degrades or disrupts equipment or system performance.
- Uses IT JPA WAN or equipment for commercial or financial gain or fraud.
- Steals data, equipment, or intellectual property.
- Gains or seeks to gain unauthorized access to resources or entities.
- Forges electronic mail messages, or uses an account owned by another user.
- Invades the privacy of individuals.
- Posts anonymous messages.
- Creates, distributes, or purposely activates a computer virus or worm.
- Uses IT JPA WAN to send or request racist, inflammatory, or sexist messages.
- Sends or requests messages or documents that are inconsistent with school or district policies, guidelines, or codes of conduct.
- Possesses any data which might be considered a violation of these rules in paper, magnetic (disk), or any other form.

A. Consequences of Violations

Possible consequences of violations include, but are not limited, to:

- **Suspension of Internet access**
- **Revocation of Internet access**
- **Suspension of IT JPA WAN privileges**
- **Revocation of IT JPA WAN privileges**
- **Suspension of computer access**
- **Revocation of computer access**
- **School suspension**
- **School expulsion**
- **Legal action and prosecution by the authorities**

B. Remedies and Recourses

If you are accused of any of the violations, you have all of the rights and privileges that you would have if you were accused of school vandalism, fighting, and so forth.

The district, school site, and DP JPA have the right to restrict or terminate network and Internet access at any time for any reason. The district and DP JPA have the right to monitor network activity in any form that it sees fit to maintain the integrity of the network.

San Joaquin County Office of Education Data Processing JPA

CONSENT AND WAIVER

The following form must be read and signed by you and your parent or legal guardian and school site teacher or administrator.

By signing the *Consent and Waiver* form attached, I _____ (print name here) and my parent(s) or guardian(s) agree to abide by the following restrictions. I have discussed these rights and responsibilities with my parent(s) or guardian(s).

Further, my parent(s) or guardian(s) and I have been advised that the San Joaquin County Office of Education Data Processing JPA (DP JPA), district, and school site do not have control of the information on the Internet, although it attempts to provide prudent and available barriers. Other sites accessible via the Internet may contain material that is illegal, defamatory, inaccurate, or potentially offensive to some people. While the DP JPA's intent is to make Internet access available to further school and district educational goals and objectives, account holders will have the ability to access materials which may not be appropriate and meet these goals and objectives. The DP JPA believes that the benefits to educators and students to access the Internet, in the form of information resources and opportunities for collaboration, far exceed any disadvantages of access. But ultimately, the parent(s) and guardian(s) of minors are responsible for setting and conveying the standards that their student should follow. To that end, the DP JPA, district, and school supports and respects each family's right to decide whether or not to apply for San Joaquin County Office of Education IT JPA WAN access. Any questions should be directed to the Department of Information Technology at (209) 468-4869 or school site or district technology staff members.

The student and his/her parent(s) or guardian(s) must understand that student access to the IT JPA WAN is developed to support the district's educational responsibilities and mission. The specific conditions and services being offered will change from time to time. In addition, DP JPA makes no warranties with respect to the IT JPA WAN's service, and it specifically assumes no responsibilities for:

- A. The content of any advice or information received by a student from a source, or any costs or charges incurred as a result of seeking or accepting such advice.
- B. Any costs, liability, or damages caused by the way the student chooses to use his/her District Network access.
- C. Any consequences of service interruptions or changes, even if these disruptions arise from circumstances under the control of the DP JPA.
- D. While the DP JPA supports the privacy of electronic mail, students must assume that this cannot be guaranteed.

By signing this form I agree to the following terms:

1. My use of the IT JPA WAN must be consistent with the DP JPA's, district's, and school site's primary goals.
2. I will not use IT JPA WAN for illegal purposes of any kind.
3. I will not use the IT JPA WAN to transmit threatening, obscene, or harassing materials. The district, school, and DP JPA will not be held responsible if I participate in such activities. In fact, by completing this contract, I agree that the DP JPA, school, or district is not responsible for such behavior on my part.
4. I will not use the IT JPA WAN to interfere with or disrupt network users, services, or equipment. Disruptions include, but are not limited, to distribution of unsolicited advertising, propagation of computer worms and viruses, using printers other than those designated at my school site for student use, and using the network to make unauthorized entry to any other machine accessible via the network.
5. I will not use the IT JPA WAN to access information or resources unless permission to do so has been granted by the owners or holders of rights to those resources or information. It is assumed that information and resources accessible via IT JPA WAN are private to the individuals and organizations which own or hold rights to those resources and information unless specifically stated otherwise by the owners or holders of rights.

The DP JPA, district, and school make no warranties of any kind, whether express or implied, for the services it is providing. The DP JPA will not be responsible for any damages a user suffers. This includes loss of data resulting from delays, non-deliveries, mis-deliveries, or service interruptions caused by the DP JPA's or the district/school's negligence or by user's error or omissions. Use of any information obtained via the Internet is at the user's own risk. The DP JPA, district, and school specifically deny any responsibility for the accuracy of or quality of information obtained through its services. All users need to consider the source of any information they obtain and consider how valid that information may be.

In accordance with the Electronic and Communications Privacy Act of 1986, 18 USCS Section 2510, all students are hereby given notice that there are no facilities provided by the IT JPA WAN for sending or receiving private or confidential electronic communications. All messages shall be determined to be readily accessible to the general public. Do not use this system for any communications which the sender intends only for the sender and intended recipients to read. By your use of IT JPA WAN, you agree to hold harmless the DP JPA, school and district, thereof, against any and all claims arising out of said use, no matter the cause or fault.

Required Signatures

I understand and will abide by the provisions and conditions of this contract. I understand that any violations of the above provisions may result in disciplinary action, the revoking of my user account, and the appropriate legal action. I also agree to report any misuse of the information system to the school site technology representative, teacher, or administrator. Misuse can come in many forms, but can be viewed as any messages sent or received that indicate or suggest pornography, unethical or illegal solicitation, racism, sexism, inappropriate language, and other issues described in this document. All the rules of conduct described in district or school site policies, procedures, and handbooks apply when I am on the network.

I understand that the e-mail account supplied by the Data Processing JPA (DP JPA) is not my personal e-mail and that it and it's content are solely the property of the DP JPA and can be viewed by those authorized by the DP JPA.

School District: _____ School Site: BS CH CL DR JW LE MB TK SM LH MC SL

Student ID#: _____

Student Signature: _____ Date: _____

PARENT OR GUARDIAN

Students under the age of 18 must have the signature of a parent of guardian who has read this contract.

As the parent or guardian of this student, I have read this contract and understand that it is designated for educational purposes. I understand that it is impossible for the DP JPA, district, or school to restrict access to all controversial materials, and I will not hold the DP JPA, district, or school responsible for materials acquired on the IT JPA WAN. I also agree to report any misuse of the information system to the school site technology representative. Misuse can come in many forms, but can be viewed as any messages sent or received that indicate or suggest pornography, unethical or illegal solicitation, racism, sexism, inappropriate language, and other issues described in this document .

I accept full responsibility for supervision of my child should they use remote connections to the IT JPA WAN in a non-school setting. I hereby give my permission to issue an account for my child and certify that the information contained on this form is correct.

Please complete all of the information below and route the Consent and Waiver portion of this document to your sponsoring teacher for approval. Your Internet access and account will not be granted without the completion of all informational items listed.

Parent or Guardian Name (please print): _____ Home Phone: _____

Signature: _____ Date: _____

SPONSORING TEACHER

I have read this contract and agree to promote this agreement with the student. As the sponsoring teacher, I agree to instruct the student on acceptable use of the network and proper network etiquette. I also agree to report any misuse of the information system to the school site technology representative. Misuse can come in many forms, but can be viewed as any messages sent or received that indicate or suggest pornography, unethical or illegal solicitation, racism, sexism, inappropriate language, and other issues described in this document.

Teacher's Name (please print): _____

Signature: _____

Date: _____

DISTRICT REPRESENTATIVE

Students must have the signature of the district representative who has read this contract.

As a representative of the district, I have read this contract and understand that it is designated for educational purposes. I understand that it is impossible for the DP JPA or district to restrict access to all controversial materials, and I will not hold the DP JPA or district responsible for materials acquired on the IT JPA WAN, I also agree to report any misuse of the information system to the Department of Information Technology. Misuse can come in many forms, but can be viewed as any messages sent or received that indicate or suggest pornography, unethical or illegal solicitation, racism, sexism, inappropriate language, and other issues described in this document .

Please complete all of the information below and keep on file.

District Representative (please print): _____

Signature: _____

Date: _____