

**SANTA ANA UNIFIED SCHOOL DISTRICT**

**AR 6163.4(a)**

**Instruction**

**Student Use of Technology**

The principal or designee shall oversee the maintenance of each school's technological resources and may establish guidelines and limits on their use. He/she shall ensure that all students using these resources receive training in their proper and appropriate use. (cf. 0440 - District Technology Plan) (cf. 4040 - Employee Use of Technology) (cf. 4131 - Staff Development) (cf. 4231 - Staff Development) (cf. 4331 - Staff Development) (cf. 6162.7 - Use of Technology in Instruction)

At the beginning of each school year, parents/guardians shall receive a copy of the District's "Student Use of Technology" policy and administrative regulation. (Education Code 48980) (cf. 5145.6 - Parental Notifications) Students are informed that their parents may be held financially responsible for any harm that may result from the student's intentional misuse of District or Personal Technology.

**Privacy**

Computer files and communications over District electronic networks are not private. The District reserves the right to monitor any use of District Technology, including online communications, for improper use and/or for regular maintenance of the District's systems. Electronic communications and downloaded material, including files deleted from a user's account, may be monitored or read by District officials to ensure proper use of the system. (cf. 5145.12 -Search and Seizure) Students are informed that their parents have the right to request to see their student's computer files at any time.

**Student Obligations and Responsibilities**

Students are authorized to use District Technology in accordance with user obligations and responsibilities specified below and in accordance with Governing Board policy and the District's Acceptable Use Agreement. Students should promptly inform a teacher or administrator if they receive materials that are inappropriate or make them feel uncomfortable. The following provisions refer to District Technology; however, use of Personal Technology also may violate this regulation if the District reasonably believes the conduct or speech will cause actual, material disruption of school activities.

1. The student, in whose name any account is issued, is responsible for its proper use at all times. Students shall keep passwords, personal account numbers, home addresses and telephone numbers private. They shall use the system only under their own password or account number.
2. Students shall use District Technology responsibly for educational purposes. Commercial, political and/or personal use unrelated to an educational purpose is strictly prohibited.

3. Students shall not use District Technology to access, post, submit, publish or display "material that is harmful to minors," or matter that is threatening, obscene, lewd, vulgar, or disruptive. The term "harmful to minors" means any picture, image, graphic image file, or other visual depiction that:
  - (i) taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion;
  - (ii) 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
  - (iii) taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors. (47 USC 254(h)).
4. Students shall not use District Technology to engage in discrimination, harassment, intimidation or bullying on the basis of actual or perceived disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code, or association with a person or group with one or more of these actual or perceived characteristics.
5. Students shall not use District Technology to engage in hate violence.

"Hate violence" means an act punishable under Penal Code section 422.6 ("Interference with exercise of civil rights because of actual or perceived characteristics of victim; damaging property; punishment; speech; charging and punishment for conduct violating multiple provisions of law"), section 422.7 (a crime, intended to intimidate or interfere with a person's legal rights, that is (a) a crime against a person that either includes the present ability to commit a violent injury or causes actual physical injury, or (b) a crime against property that causes damage in excess of nine hundred fifty dollars), or 422.75 (felony hate crimes).
6. Students shall not use District Technology to engage in harassment, threats or intimidation.

"Harassment, threats, or intimidation" means the pupil has intentionally engaged in harassment, threats, or intimidation, directed against school district personnel or pupils, that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading the rights of either school personnel or pupils by creating an intimidating or hostile educational environment.

7. Students shall not engage in bullying using District Technology. This form of bullying is often referred to as "cyberbullying."

"Cyberbullying" means any severe or pervasive verbal communications made by means of an electronic act, and including one or more acts committed by a pupil or group of pupils as defined in Education Code Section 48900.2, 48900.3, or 48900.4, directed toward one or more pupils that has or can be reasonably predicted to have the effect of one or more of the following:

- (a) Placing a reasonable pupil or pupils in fear of harm to that pupil's or those pupils' person or property.
- (b) Causing a reasonable pupil to experience a substantially detrimental effect on his or her physical or mental health.
- (c) Causing a reasonable pupil to experience substantial interference with his or her academic performance.
- (d) Causing a reasonable pupil to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by a school.

"Electronic act" means the transmission of a communication, including, but not limited to, a message, text, sound, or image, or a post on a social network Internet Web site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer or pager.

"Reasonable pupil" means a pupil, including but not limited to, an exceptional needs pupil, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with his or her exceptional needs.

While not an exhaustive list, examples of cyberbullying might include:

- threats to harm another person;
- oral or written assaults, such as teasing or name-calling;
- social isolation or manipulation;
- posting harassing messages, direct threats, social cruelty or other harmful texts, sounds or images on the Internet, including social networking sites;
- posting or sharing false or defamatory information about another person;
- posting or sharing information about another person that is private;
- pretending to be another person on a social networking site or other electronic communication in order to damage that person's reputation or friendships;
- posting or sharing photographs of other people without their permission;
- spreading hurtful or demeaning materials created by another person (e.g., forwarding offensive e-mails or text messages); and
- retaliating against someone for complaining that they have been bullied.

8. Students shall not disclose, use or disseminate personal identification information about themselves or others when using District Technology, including email, instant messaging, texting, or other forms of Internet-based communication. Students are also cautioned not to disclose such information by other means to individuals located through the Internet without the permission of their parents/guardians. Personal information includes the student's name, address, telephone number, Social Security number, or other individually identifiable information. Students should not post or share photographs of other students without the other student's permission.
9. Students shall not use District Technology to encourage the use of drugs, alcohol or tobacco, nor shall they promote unethical practices or any activity prohibited by law or Board policy. (cf. 3513.3 - Tobacco-Free Schools)
10. Copyrighted material shall not be placed on District Technology or other Internet-based resources without the author's permission. Students may download copyrighted material for their own use only. (cf. 6162.6 - Use of Copyrighted Materials)  
  
Copyrighted material shall be downloaded or shared 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. (cf. 5131.9 - Academic Honesty)
11. Students shall not intentionally upload, download or create computer viruses and/or maliciously attempt to harm or destroy District Technology or manipulate the data of any other user, including so-called "hacking." (cf. 5131.5 - Vandalism, Theft and Graffiti)
12. Students shall not attempt to access or read other users' electronic communication or files. They shall not attempt to interfere with other users' ability to send or receive electronic communication, nor shall they attempt to delete, copy, modify or forge other users' communication or files.
13. Students shall report any security problem or misuse of District or Personal Technology to the teacher or principal. If a student mistakenly accesses inappropriate information, the student must immediately report the matter to a teacher or school administrator.
14. Students shall not modify or attempt to repair District Technology without prior authorization.
15. Students shall not connect any personal device in the network, such as wireless access points, routers, hubs, etc.

16. Students shall not use Internet-based proxies or software that attempts to make online activity untraceable.
17. Students shall not misuse District or school distribution lists or discussion groups by sending irrelevant messages.
18. Students may not send, share, view or possess pictures, text messages, emails or other material of an obscene nature in electronic or any other form on Personal Technology at school or school-related activities, or using District Technology.

### **Mobile Devices**

#### **A. Personal Mobile Devices**

The use of personal mobile devices, such as laptops, cellular phones, tablets, pagers, or other electronic signaling devices, by students on campus is subject to all applicable District policies and regulations concerning technology use, as well as the following rules and understandings:

- Permission to have a mobile device at school is contingent on parent/guardian permission in the form of a signed copy of the District's Technology Use policy and administrative regulation, except as required by Education Code section 48901.5(b).
- The District accepts no financial responsibility for damage, loss or theft. The student should secure the device in a safe place when not in use. Devices should not be left unattended.
- All costs for data plans and fees associated with mobile devices are the responsibility of the student. The District does not require the use of personal mobile devices and does not rely on personal devices in its instructional program or extracurricular activities.
- Use of personal mobile devices during class time must be limited to instructional purposes.
- Photographs and audio or video recordings may be taken/made only with the express permission of all individuals being photographed or recorded. Recordings made in a classroom require the advance permission of the classroom teacher.
- Students may not take, possess or share obscene photographs or videos.
- Students may not photograph, videotape or otherwise record teacher-prepared assessment materials.
- If the District has reasonable cause to believe the student has violated the law or District policy, the device may be searched by authorized personnel and/or law enforcement may be contacted.

#### **B. District-Owned Mobile Devices**

When a student is using a District-owned mobile device, all of the above rules pertaining to personal mobile devices apply as well as the following:

- The device may be used only for school-related purposes.

- Users may not download applications ("apps") to the device without permission from the teacher or other District employee.
- Users must follow all "apps" use agreements.
- The student and parent/guardian will be responsible for the replacement cost if the device is lost or is damaged because of intentional misuse.

#### **Consequences for Violation**

For purposes of disallowing access to District Technology, the principal or designee shall make all decisions regarding whether or not a student has violated Board policy or administrative regulation. The decision of the principal or designee shall be final.

Inappropriate use shall result in a cancellation of the student's user privileges, disciplinary action and/or legal action in accordance with law and Board policy. (cf. 5144 -Discipline) (cf. 5144.1 - Suspension and Expulsion/Due Process) (cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities)) Permission to bring personal mobile devices to school or school activities also may be revoked.