

WALTHAM PUBLIC SCHOOLS

DIGITAL TECHNOLOGY ACCEPTABLE USE AGREEMENT

The Waltham Public Schools encourages the use of digital technology for completing educational assignments and professional responsibilities. The primary purpose of providing digital technology within the district is to support the educational goals and objectives of Waltham Public Schools.

It is expected that all digital technology users will respect the rights of others, and will act in a way that reflects proper ethical and legal standards at all times.

The following Digital Technology Acceptable Use Agreement (DTAUA) applies to all staff, students, community members, and guests who use the district's digital technology or who access our networks. Any violation of the terms spelled out below may result in loss of full access to district digital technology and/or disciplinary/legal action.

Upon due notice the Waltham Public School department reserves the right to amend, change, alter and/or update this policy at any time.

1. DEFINITION AND PURPOSE

1.1 Waltham Public Schools provides access to its data network, wireless public network and Internet portal for staff members, administrators, students, community members, or authorized guests. The networks include all hardware used to deliver and receive data, as well as all software instrumental in viewing and working with data over the networks. All devices, whether purchased by the district or owned by an individual that are connected to our network at anytime, are considered part of the Waltham Public Schools' network and, thus, are subject to the terms of this Digital Technology Acceptable Use Agreement (DTAUA).

1.2 The networks have been developed for educational purposes. The networks are intended to assist the staff and student body by providing access to a wide range of information resources that are available 24/7 and dependable network and Internet access while in school. The networks also allow for efficient communication within the district, with students and parents, and with outside agencies and resources.

1.3 Incidental personal use of digital technology (see 1.5) and the networks is permitted as long as it infrequent and does not interfere with the educational mission of the Waltham Public Schools.

1.4 "User" refers to any staff member, administrator, student, community member, or authorized guest who connects to the Waltham Public Schools' networks or uses digital technology belonging to the Waltham Public Schools.

1.5 "Digital technology" is any device that creates, transmits, or accesses digital information, whether connected to the network or used in a stand-alone situation. "Digital information" or "digital media" is any data that is created, transmitted, or accessed by digital technology.

1.6 "Educational" refers to the process of teaching and learning that is tied to the curricula of the Waltham Public Schools and the Massachusetts's Department of Elementary and Secondary Education's Curriculum Frameworks.

2. STAFF AND USER RESPONSIBILITIES

2.1 The Network Manager oversees access to the network and establishes processes for the archiving of e-mail and databases, for maintaining virus and spam protection, and for complying with the [Children's Internet Protection Act](#) (CIPA).

2.2 The Instructional Technology/Library Director oversees processes for authorizing software installation by the Management Information Systems (MIS) department to comply with copyright law and licenses and to ensure requests align with departmental and school based initiatives.

2.3 The Parent Information Center (PIC) is responsible for having all new students/parents sign the Digital Technology Acceptable Use Agreement.

2.4 All staff are responsible for understanding the terms of the Digital Acceptable Use Agreement and implementing the Digital Technology Acceptable Use Agreement with students.

2.5 When using the Internet and digital content for class activities, teachers will preview and select websites and digital content appropriate to the students and relevant to the course objectives. Teachers will help students develop critical thinking skills (i.e. assessing the reliability of information found on the Internet) and provide guidelines (e.g. multiple keyword searches, tools to refine and limit search results, appropriate search engines) and resources (e.g. subscription databases, online library catalog, etc.) to assist their students in focused research activities. While their students are on-line and under their supervision, staff must be actively vigilant of websites visited by students.

2.6 Any user who finds material that may be in violation of CIPA on any digital device should inform a teacher or administrator immediately. This includes material that any user might locate by connecting to a website—whether intentionally or accidentally—or might find residing on a computer or the network.

2.7 No staff member may access the on-line grades or personal information of any student except for those students with whom he or she has an active professional relationship at that time.

2.8 No staff member may access the on-line personal or professional information of another staff member except when the employee's direct supervisor accesses the information or directs another member to access the information, in the process of fulfilling his or her professional responsibilities.

2.9 Accessing or attempting to access another user's account without permission is strictly prohibited. Users may not intentionally seek information on, obtain copies of, or modify files or data belonging to other users on the network. Students will not share their username and password with other students.

2.10 All passwords or other means of accessing computers, servers, software, or the networks within the Waltham Public Schools are the property of the school district. Any misuse, dissemination, or destruction of these passwords may be considered vandalism, and may be punished through internal disciplinary means and/or through the courts.

2.11 Any person who accesses the district resources from outside the network does so with the same restrictions and responsibilities as outlined in this document.

2.12 Any person who illegally accesses the Waltham Public Schools' networks with intent to damage the network(s) may be subject to criminal and/or civil prosecution as well as internal disciplinary action.

3. DISTRICT LIMITATION OF LIABILITY

3.1 Waltham Public Schools makes no warranties of any kind, either expressed or implied, that the functions or the services provided by or through its networks will be error-free or without defect.

3.2 The district will not be responsible for any damages users may suffer, including but not limited to, loss of data or interruptions of service, or personal physical, psychological, or monetary damages.

3.3 The district will not be responsible for unauthorized financial obligations arising through the use of the network.

3.4 While every effort is made to block and filter websites and e-mails, it is the duty and responsibility of all staff and students to remove themselves from an inappropriate site that they may inadvertently happen upon or an e-mail that they have received. Staff is responsible for notifying the Help Desk of any such incidences.

4. DUE PROCESS

4.1 While on the networks, the user agrees to take full responsibility for his or her actions. The Waltham Public Schools will not be held liable for the actions of anyone connecting to the Internet through the data or wireless networks. Therefore, all users shall assume full liability—legal, financial, or otherwise—for their use of the networks.

4.2 Violations of the Digital Technology Acceptable Use Agreement can carry serious consequences and could result in the immediate suspension of the user's privileges. The administration and/or city, county, state, or federal authorities may take further disciplinary action.

Disciplinary actions will be tailored to meet specific concerns related to the violation. These disciplinary actions may include termination of employment or student suspension or expulsion.

4.3 Any questions, suspicions or allegations concerning adherence to the Digital Technology Acceptable Use Agreement should be brought to the attention of the building principal, superintendent of schools or the network manager.

5. SEARCH AND SEIZURE

5.1 The networks and all devices (except those purchased personally by the user) attached to the networks are the property of the Waltham Public Schools; the storage systems of these devices are therefore subject to inspection by the administration at any time. District-owned computers, whether attached to the network or not, are subject to inspection by the administration at any time. System users should expect limited privacy regarding the contents of their files stored on the network.

5.2 A search of an individual's network use will be conducted if there is suspicion that a user has violated the Digital Technology Acceptable Use Agreement or the law. The nature of the investigation will be in relation to the context of the nature of the alleged violation.

6. UNACCEPTABLE USE OF DIGITAL TECHNOLOGY

6.1 Transmission of any material in violation of any U.S. or state law or regulation is prohibited. This includes, but is not limited to, copyrighted material, threatening, abusive, or obscene material. Illegal activities and privacy and safety violations of the [Children's Online Privacy Protection Act \(COPPA\)](#) and the [Children's Internet Protection Act \(CIPA\)](#) are strictly prohibited.

6.2 Cyberbullying, as defined by Massachusetts General Laws, Chapter 71. Section 370 is prohibited.

"Cyber-bullying", bullying through the use of technology or any electronic communication, which shall include, but shall not be limited to, any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo electronic or photo optical system, including, but not limited to, electronic mail, internet communications, instant messages or facsimile communications. Cyberbullying shall also include (i) the creation of a web page or blog in which the creator assumes the identity of another person or (ii) the knowing impersonation of another person as the author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in clauses (i) to (v), inclusive, of the definition of bullying. Cyber-bullying shall also include the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons, if the distribution or posting creates any of the conditions enumerated in clauses (i) to (v) , inclusive, of the definition of bullying.

Clauses (i) to (v): (i) causes physical or emotional harm to the victim or damage to the victim's property; (ii) places the victim in reasonable fear of harm to himself or of damage to his property; (iii) creates a hostile environment at school for the victim; (iv) infringes on the rights of the victim at school; or (v) materially and substantially disrupts the education process or the orderly operation of a school.

6.3 No member of the faculty, the staff, or the student body will use Waltham Public Schools' digital technology to defame, slander, or libel any person.

6.4 No member of the faculty, the staff, or the student body will engage in any illegal activities or use the technology for purposes other than as intended in an educational setting.

7. E-MAIL

7.1 All e-mail created or received by an employee of a governmental unit is a public record.

According to Massachusetts General Laws: Twenty-sixth, "Public records" shall mean all ...documentary materials or data, regardless of physical form or characteristics, made or received by any officer or employee of any agency..to serve a public purpose (G.L. c. 4, § 7, cl. 26).

7.2 E-mail, a public record, is subject to the requirements of the Public Records Law. Massachusetts Public Records Law provides that every person has a right to access public information. This right of access includes the right to inspect, copy or have copies of records made upon the payment of a reasonable fee.

7.3 All staff should conduct school business using school e-mail, only. Staff should consider e-mail messages to be equivalent to letters sent on official letterhead and therefore should be written in a professional and courteous tone. Because tone is difficult to discern in e-mail communications, e-mail is best used as a means to communicate information and should not be regarded as a replacement for face-to-face communication.

7.4 Staff and students are not allowed to access non-school e-mail accounts from school computers. Students in grades 6-12 are given e-mail accounts through the Waltham Public Schools. All e-mail rules stated in this Digital Technology Acceptable Use Agreement apply.

7.5 Staff or students must not subscribe to mass electronic mailings (e.g., chain letters, "jokes of the day," "horoscopes," "trivia," etc). Mass mailings take up valuable network space. If a faculty member joins a professional (educational) listserv, it is requested that he or she subscribe in digest format. Please contact the listserv administrator for instructions on how to accomplish this.

7.6 E-mail accounts issued by Waltham Public Schools may not be used to bully, harass, or threaten any individual or organization; accounts will not be used to send chain letters, viruses, or hoaxes to other students, faculty, or individuals.

7.7 The Network Manager monitors the network to ensure proper network operations. Principals, curriculum directors or supervisors may request detailed reports indicating e-mail and Internet usage.

7.8. All student e-mail accounts will be active for 12 months upon graduation. All e-mail accounts for staff who leave the Waltham Public Schools will be disabled upon leaving the Waltham Public Schools and then deleted after a period of 12 months., unless such person remains associated with the Waltham Public Schools

7.9 The Network Manager monitors the network to ensure proper network operations. Principals, curriculum directors or supervisors may request detailed reports indicating e-mail and Internet usage.

8. WEB PUBLISHING

8.1 The Waltham Public Schools websites are designed to provide a portal to enable communication among educators, students, staff, administration, and the community. Material posted on the district's websites or web portal (e.g. Edline) must reflect the high educational standards of the Waltham Public Schools.

8.2 All educators who have an online presence for professional or educational purposes and in their role as a Waltham Public School employee (i.e. blog, Google site, wiki, etc.) will provide the URL to their direct supervisor who will then link it to the school or district website(s).

8.3 To help protect the safety of our students and the accuracy and security of district information, all web publishers will follow the guidelines and procedures of the Web Publishing Guidelines. The same Web Publishing Guidelines will be adhered to when publishing to other public websites, including collaborative web applications, i.e. Web 2.0 tools.

9. PERSONAL DEVICES

9.1 Only digital technology owned by the Waltham Public Schools will be serviced by the MIS Department.

9.2 Use personal digital technology in our schools and on the network at your own risk.

9.3 Personal computers must have up-to-date virus protection software prior to attaching to the Waltham Public Schools' networks. Waltham Public Schools employees and students see <http://www.walthampublicschools.org/mis.cfm> for virus protection software.

10. Wireless Networks

10.1 No wireless access points are to be installed on the Waltham Public Schools network without the express written permission of the Network Administrator.

10.2 All wireless access points operating on the network are to be installed, configured, and maintained by MIS. Unauthorized wireless devices using the same frequency spectrum should not be used within any of the Waltham Public Schools buildings.

10.3 Private wireless networks (ad hoc mode) are not permitted within any building. The testing of new or emerging wireless technologies or the demonstration of wireless products must be coordinated through the MIS department.

10.4 MIS has the right to remove or disable any device that is in violation of this policy. Authorized and proper use of wireless technology is critical to the security of the Waltham Public Schools networks and all individuals. Employees that do not adhere to this policy may be subject to disciplinary action.

11. Copyright Infringement

11.1 Existing copyright law will govern the use of material accessed through the network. The user—any student, staff member or guest—will not infringe upon the copyright of works found on the Internet or within the network.

11.2 As has been stated earlier, all copyrighted material used on any of the district’s web pages must have the expressed written permission of the person or organization that owns the copyright.

12. Indemnification

12.1 All staff members, administrators, students, community members or authorized guests who connect to the Waltham Public Schools’ networks or use technology belonging to the Waltham Public Schools hereby agree to indemnify and hold harmless the City of Waltham, the Waltham Public Schools as well as any and all of their agents and employees, in their individual and official capacities, as well as any other persons or entities associated with the City of Waltham from any liability of whatsoever kind arising out of their use of the Waltham Public Schools’ network. All users of the network agree to agree to indemnify and hold harmless the Waltham Public School system and the City of Waltham from any and all claims, complaints, causes of action, grievances, suits, demands, liens, controversies, lawsuits, liabilities, proceedings, whether civil or criminal nature, or any other legal or equitable matter seeking damages, compensation, benefits, costs, expenses, including court costs and attorney fees, reimbursement or any other legal or equitable relief arising out of any improper use of the network.

WORKS CITED

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Hanover Public Schools Digital Technology Acceptable Use Policy. N.p., 21 July 2010. Web. 10 Dec. 2010.
<<http://www.hanoverschools.org/technology/pdf/DTAUP.pdf>>.

TECHNOLOGY GUIDELINES

Examples of unacceptable use of digital technology, but not limited to, are:

- use of obscene, mean-spirited, pornographic, profane, inflammatory, racist, threatening, or disrespectful language;
- engage in prejudicial or discriminatory attacks, sexual harassment, or other forms of on-line bullying;
- engage in improper fraternization (i.e. not a professional relationship between staff and students) using personal social networks that are outside the domain of school or school related projects and/or activities;
- engage in improper fraternization with students via cell phone and texting;
- post items exhibiting or advocating use of drugs and alcohol;
- use the network for lobbying or advertising or for passing on information of a purely personal interest;
- damage or vandalize computers, computer systems, or networks either through physical alteration or through the intentional introduction of malicious digital agents, such as viruses;
- trespass in other's folders, work, or files, or use another's password.
- plagiarizing, which is the taking of someone else's words, ideas, or findings and intentionally presenting them as your own without properly giving credit to their source;
- recording (e.g. camera) any person without his or her consent and awareness
- unnecessary use of printers for non-educational use including but not limited to printing Internet material without supervising teacher permission;
- post items with sexual content;
- damage or vandalize computers, computer systems, or networks either through physical alteration or through the introduction of malicious digital agents, such as viruses;
- trespass in other's folders, work, or files, or use another's password.

WEB PUBLISHING GUIDELINES

CONTENT OF THE WEBSITE

- The Waltham Public Schools recognizes the educational benefits of publishing information on the Internet by school personnel.
- The pages should comply with Waltham Public Schools policies.
- Information on a page should remain current and be accurate.
- All pages that contain current information such as calendars, events etc. must be updated at least monthly.
- Business/commercial links or the acknowledgment of a business on a school web site should be restricted to business partners and/or materials that are educational, provide technical support, or are germane to the philosophy of the school. Advertising of commercial offerings is forbidden.
- Content should be appropriate, in good taste, and not harmful to any individual or group.
- Text should be grammatically correct, accurately spelled, and have a pleasing appearance.
- Links should be checked periodically for "dead links."
- Text underlining should be used sparingly, if not at all.
- Lengthy pages should be divided logically into sub-pages.
- Every graphic or image must have an associated (ALT) tag which state the purpose of the image (e.g. a visually impaired reader, who is using a screen reader will hear the ALT text in place of the image)

STUDENT SAFETY

- Student's personal information such as full name, home address, e-mail address, personal web address or telephone/cell number may not be published on public websites.
- Students and their parent/guardian have the option to opt out of having the student's picture or work posted to the web for the following scenarios:
 - If a child is clearly recognizable in the picture;
 - If a child is singled out in a picture with accompanying text that identifies him/her; and
 - If work attributed to a child is posted on a web page.

STAFF INFORMATION

- The business address, business telephone number and business email address of staff members are public information thus they may be published without prior permission of the staff member. Any other personally identifiable information about a staff member should not be published without prior permission from the staff member.
- All teacher and staff professional websites must reflect the high educational standards of the Waltham Public Schools. There may be no links from a teacher's or staff member's professional website to his or her personal website or to other websites of a non-educational nature except with permission from the Principal, the Curriculum Director or the Superintendent of Schools.

COPYRIGHT

- Published copyrighted materials must include the permission granted statement (who, time period, etc.). Documents should be available to validate published information.
- All web publishers are responsible to comply with applicable copyright and intellectual property laws. This relates to any information copied or obtained from other sources. Material copied from other web pages should not be used without obtaining the prior permission of the author of the page and must be cited. Material from software owned by the school such as clip art, electronic publications, etc. should not be used without prior permission of the author unless the licensing agreement for the product specifically allows such use. Please remember that what might qualify as fair use in the classroom under existing copyright law will not necessarily meet the test of fair use when publishing to the web.