WOOD COUNTY BOARD OF EDUCATION

6144.1 – Acceptable Use Policy for Print and Non-Print Media and the Internet

I. GENERAL

Wood County Schools provides students with the opportunity to become proficient in 21st Century learning skills and technology tools, necessary to become lifelong learners with the skills that prepare students to be successful in school, on the job, in life and community as defined in West Virginia Department of Education Policy 2520.14. Wood County Schools takes all precautions necessary to ensure that students are exposed to a safe digital environment as required by the FCC under the “Children’s Internet Protection Act” (CIPA), “Children’s Online Privacy Protection Act of 1998” and E-rate guidelines. Wood County Schools provides computers and other technology devices, access to the internet, and various programs to enhance and promote the educational experience. Use of any district equipment is for the purpose of legitimate educational practices. Use of technology in Wood County Schools is a privilege, not a right. Usage of Wood County School’s network suggests no expectation of privacy. All materials, emails, files, etc., are subject to monitoring or review, without notice, by Wood County and West Virginia Board of Education.

The Wood County Board of Education will offer high quality instructional equipment and materials to supplement its curriculum, representing all levels of difficulty, with diversity of appeal and presentation of differing points of view.

This policy provides general guidelines for the appropriate selection, use and integration of supplemental instructional equipment and materials in all Wood County schools. A procedure for review of any allegedly inappropriate instructional materials is provided separately (see Policy 6144 - Textbook and Other Media Selection). Objections to, or complaints regarding, use of specific materials will be made in accordance with Policy 6144. Note that parental permission is required for use of certain media in accordance with the guidelines provided in this policy.

Authority for selecting supplemental classroom instructional equipment and materials is delegated by the Board of Education to the superintendent. The superintendent, in turn, has appointed members of the teaching staff to serve on county and school level curriculum committees, along with representatives of instructional services division, to select instructional materials for use in Wood County schools.

II. SCHOOL LIBRARY MEDIA

Refer to the Librarian’s Handbook (a copy of which is available in each school) for information regarding the Librarian’s “Bill of Rights”, “philosophy” and other detail pertinent specifically to the role of the school librarian.

A. USE OF SUPPLEMENTARY MEDIA (AUDIOVISUAL MATERIALS INCLUDING DVDS, VIDEOTAPES, AUDIO TAPES, CD-ROM, ETC., IN THE CLASSROOM)
1. Classroom teachers may use audiovisual media and other media to support lessons designed to meet the West Virginia Common Core including supplementary media which accompany approved textbooks.

2. In general, copyright guidelines permit in-classroom performance of copyrighted audiovisual media only when they are used for instructional purposes in a teaching situation, provided that the audiovisual media is obtained or copied in a lawful manner.

3. Classroom display devices may be used to watch education programming on cable, audiovisual media and important news events. All other programming is inappropriate for use during the instructional day.

B. GUIDELINES FOR SELECTING AUDIOVISUAL MEDIA AND OTHER MEDIA

1. Audiovisual media should be selected for its direct relevance to the West Virginia Common Core.

2. Selection criteria should include:

   - the specific significance of the media to the curriculum,
   - quality of the overall work and its individual parts,
   - appropriateness for the intended class audience,
   - fair and accurate representation of factual information, and
   - the reputation and significance of the writer, director and/or performers.

3. All media must be carefully previewed and evaluated by the teacher as appropriate to meet identified learning objectives prior to using it with students. Good taste and professional judgment must always be exercised when selecting media for classroom use.

4. The media must portray a fair and objective presentation of sensitive subjects at the maturity level of its viewers. The ratings adopted by the Motion Picture Association of America (MPA) are to be applied* as a MINIMUM standard:

   - G Family audiences
   - PG Parental guidance
   - PG-13 Special parental guidance required for children under 13
   - R Children under 17 admitted only with parents
   - NC-17 No children under 17

*Exception – in mixed age-group classes, the youngest student’s age in the class will be the determining factor to be applied in deciding whether or not parental permission to show the audiovisual media (or other media) is required.
5. Unrated commercial audiovisual media having an NC-17 (No children under 17 years of age) or X rating shall not be shown to any students at any school at any time.

6. The teacher will obtain prior written permission from the students’ lawful custodian if a video will be shown where MPA ratings would not fit the age group intended as the viewing audience.

- For example, at the high school level this applies to any R rated productions, at the middle school level to any PG-13 productions and at the elementary level to PG productions.
- R rated productions are not acceptable media for students at the Elementary, Middle, or High School students under age 18. Exceptions to this requirement will only be considered on a case-by-case basis, and with the permission of all participating students’ custodians. Any request to consider permission for an R rated production at levels below senior high must be made in writing to the Director of (Elementary or Secondary, as appropriate). The request must provide specific detail regarding the anticipated educational value of such showing, prior to contacting any of the students’ custodians for permission. No action should be taken until written authorization to proceed is obtained.

7. When requesting custodial permission, the teacher will include a brief and accurate description of the media contents and the invitation to any parent who desires so, to participate in a viewing prior to the intended classroom use.

8. Custodial notification without verification is insufficient evidence of permission. An authorization notice must be sent and a signed authorization received for each instance of permission required. The signature of at least one of each student’s legal custodians is considered authorization.

9. Custodians may request that, in lieu of viewing the audiovisual media, their child be given a meaningful, related, alternative learning activity associated with the same learning objective.

10. All materials should be previewed prior to use as supplementary classroom material. All forms of media such as CD-ROM, DVDs, laser disc, television, audio tapes, etc., must be previewed prior to use and a determination made by the classroom instructor as to whether or not parental permission should be secured. In general, the same guidelines used by the Motion Picture Industry should be applied. If there is any question whether language, conduct or other content of the material to be used may cause concern for any student’s parent, permission should be secured prior to using the supplemental material.

C. GENERAL COPYRIGHT GUIDANCE

1. By court decision, the school setting has been defined as a “semi-public performance”. Public performance rights are reserved for the copyright owner or those given legal permission. Audiovisual media or other materials marketed for “home use” generally do not have the rights granted for public performances.
2. Non-profit, educational institutions generally may perform or display works in the course of “face to face” teaching activities, without the consent of the copyright owner only if the permissible guidelines are met.

3. Permissible activities stipulate that:
   a. The material must be a legally obtained lawful copy.
   b. The material must be used in the course of “face to face” teaching activities.
   c. An instructor or pupil must execute the activity involving use of the material.
   d. The activity must occur in a classroom or similar place devoted to instruction.
   e. The material must be directly related to the lesson or instruction and associated activities assigned to legitimize its use.
   f. All programming obtained from commercial sources (outside of school purchasing procedures) whether through rental, lease, purchase, donation or student loan, must be cleared for classroom use by the principal through notation on the individual teacher’s lesson plan.

4. Prohibited activities include but are not limited, in that:
   a. Audiovisual media may not be used for recreation or entertainment or other than the planned instructional purposes. Videotapes and other media marked “For Home Use Only”, may be used as part of a systematic course of instruction in face-to-face teaching situations, but their use for recreation, entertainment or fundraising is specifically prohibited.
   b. Duplicating or copying of media is prohibited in all forms (including making of archival copies or transferring from one format to another).
   c. Using copyrighted materials in productions made by the school or students without specific written permission from the copyright owner.

D. REPRODUCTION OF COPYRIGHTED MATERIALS
1. Infringement on copyrighted material, whether prose, graphic images, music, audio tape, audiovisual or computer materials, is a serious offense of federal law and contrary to the ethical standards required of employees and students alike.

2. Violations of copyright laws can result in criminal or civil suits. It is therefore required that all reproduction of copyrighted material be done strictly in accordance with applicable law. Unless otherwise allowed as “fair use” by federal law, permission must be obtained from the copyright owner prior to reproduction of material in any form.

3. “Fair Use” is based upon the following:
   a. the purpose and character of the use,
   b. the nature of the copyrighted work,
   c. the amount of and substantiality of the portion used, and
   d. the effect of the use upon the potential market for, or value of, the copyrighted work.
4. Employees violating copyright law may be required to remunerate the county in the event of loss due to litigation and may be subject to discipline up to and including dismissal.

5. The administration will annually provide schools (via their school librarians) with additional guidelines for the “fair use” of copyrighted materials to meet the requirements of Section 107 of the Copyright Act of 1976, and WV BOE Policy 2460.

E. AFTER SCHOOL – OUTSIDE AGENCY USE OF MEDIA AND/OR USE OF SCHOOL EQUIPMENT IN CONJUNCTION WITH USE OF MEDIA

1. Other groups or individuals using the Wood County Schools facilities and/or Wood County Schools equipment are required to adhere to the requirements of sections C and F outlined in this policy.

2. Other groups or individuals using Wood County Schools equipment are required to sign a Technology Acceptable Use Agreement. This agreement shall be maintained on file in each school.

3. Use of school owned equipment can be denied to groups or individuals found in violation of this policy.

F. INTERNET AND TELECOMMUNICATIONS NETWORK – ACCEPTABLE USE

1. All employees and students are required to abide by this policy and by WV BOE Policy 2460 – EDUCATIONAL PURPOSE AND ACCEPTABLE USE OF ELECTRONIC RESOURCES, TECHNOLOGIES AND THE INTERNET. Signed agreements are required for all employees and for all students in grades k-12. Employee supervisors shall annually review technology acceptable use with employees under their supervision and require each employee to sign the Employee Technology Acceptable Use Agreement each year. The agreements are to be kept on file by the immediate supervisor. Schools shall determine a procedure for ensuring annual review of technology acceptable use with all students. For grades K-2, a Student Acceptable Technology Use Agreement must be signed by the parent/guardian whenever a student first enrolls at a school. For grades 3 and above, a Student Technology Acceptable Use Agreement must be signed by the student and parent/guardian whenever a student first enrolls at a school. A new signed agreement is required whenever a student enters 3rd grade, transfers or is promoted to a different school. Schools may develop additional acceptable use measures that exceed provisions of state and district policies, provided that such measures are printed on the backside of the Technology Acceptable Use Agreement. Whenever present, such additional measures are considered part of the agreement for that school.

All students will receive the grade appropriate curriculum currently offered in WV TechSteps or any other program designated by the West Virginia Department of Education, to ensure that all Wood County Schools fully comply with FCC regulations regarding Internet safety policies that are defined under the “Children’s Internet Protection Act” and “Children’s Online Privacy Protection Act.”
2. Specific examples of prohibited use include, but are not limited to:
   a. Downloading, executing or viewing non-educational activities (e.g., games, music, videos, shopping, messaging).
   b. Downloading, uploading and/or executing malicious code (e.g., viruses, Trojans, worms, macros, etc.)
   c. Unauthorized installation or willful altering of software, setup preferences, security or other system settings.
   d. Corrupting, destroying, deleting or manipulating system data with malicious intent.
   e. Creating, storing, transmitting or viewing materials of a violent, sexual, racist, obscene or other offensive nature.
   f. Cyber bullying, hate mail, defamation, harassment of any kind, discriminatory jokes/remarks, and other unauthorized uses as referenced in federal, state, and local policies and laws.
   g. Employing the network, equipment or technology resources for commercial or unauthorized purposes.
   h. Using school equipment or resources in any manner that violates any law or state/district policy.
   i. Violating copyright laws.
   j. Misrepresenting an individual's identity or sources of communication or data (e.g., plagiarism, language translators).
   k. Using another's logon/password to gain unauthorized access to email electronic folders, files or online resources.
   l. Providing your logon/password to another to gain unauthorized access to secure network resources.
   m. Unsupervised or unauthorized participation in chat rooms, wikis or blogs.
   n. Connecting any computer or other device to the network without the consent of the network administrator.
   o. Unauthorized or improper publishing to district or school websites.
   p. Unauthorized disclosure, use, or dissemination of personal information regarding yourself (if student) or others.
   q. Using social media to engage in non-professional interaction between employees and students in an inappropriate manner.
   r. All other prohibited activities as listed in WVDE Policy 2460 Section 6.3.

3. No student is permitted to use the Internet unless authorized adult supervision is provided in the same room as the Internet computer. As provided above, a signed acceptable use agreement must be on file for each student before the student is permitted to access the Internet. The agreement remains in effect as long as the student is enrolled at a particular school or until it is revoked by the parent or authorized school personnel.

4. Access to the Internet and WVEIS is provided to all schools and administrative locations through connection to the state telecommunications network established by the WVDE and WVNET. This access provides technical protection measures in the form of Internet content filtering to protect against visual depictions that may
be considered (1) obscene, (2) child pornography, or (3) harmful to minors as well as other material deemed locally to be harmful to minors. In order to implement the intent of CIPA, COPPA, and E-rate guidelines, alternative means of connecting to the Internet from schools and administrative locations are specifically prohibited, unless such service demonstrates similar protective measures and is approved in advance by the Director of Technology. Content filtering is an additional means of providing protection, but it is not to be considered a substitute for the adult supervision required by this policy.

5. Internet access is provided to users by means of a Local Area Network (LAN), for exclusive use at the school or administrative location. Dial-up or other remote connections to district routers, servers or other equipment connected to the Internet or Wide Area Network (WAN) are prohibited unless approved by the Director of Technology. Approval will only be granted when access is deemed necessary, and when such access does not conflict with federal, state and local laws, policies, or procedures. Wood County Schools is not responsible for any damages, loss of data, or validity of information acquired, when accessing the WAN or LAN.

6. Use of the Internet and Telecommunications Network is considered a privilege and may be suspended or revoked for violation of school, district or state Acceptable Use policies. The Wood County Board of Education will take appropriate legal action in response to violations of federal, state and county telecommunications policies. Such action may include, but is not limited to, action to recover damages and referral to law enforcement agencies.

7. Instances of cyber bullying, hate mail, defamation, harassment of any kind, discriminatory jokes and remarks and other instances of abuse as referenced in West Virginia Board of Education Policy 2460, West Virginia Board of Education Policy 4373 and other policies and laws will not be tolerated. Allegations of such abuse shall be investigated and appropriate administrative and/or disciplinary actions initiated according to applicable policies and laws.

8. Regardless of the type of social media or electronic communication, inside and outside of school, all employees shall maintain a professional relationship with students. Therefore, all employees are discouraged from using any social media to establish non-professional interaction with students. Doing so places the employee at risk. Instances of inappropriate conduct shall be investigated and handled according to the employee Code of Conduct and Progressive Discipline Procedures.

9. The West Virginia Department of Education can only monitor those e-mail accounts issued to the “access.k12.wv.us” server, which is administered by the West Virginia Department of Education. Wood County staff are required to use their “access.k12.wv.us” account for all e-mail correspondence related to their job responsibilities. The issuance of student accounts is a school responsibility, and shall be done using the “access” accounts in accordance with West Virginia Department of Education procedures. The only other authorized e-mail accounts for staff or students are “@woodcountyschoolswv.net” accounts. These accounts are administered by Wood County Schools and issued at the discretion of the Director of Technology to be used as supplemental accounts as needed. The
“www.woodcountyschoolswv.com” accounts are not intended to take the place of the “access” accounts provided by the West Virginia Department of Education and should not be used by staff for official correspondence. There is no presumption of privacy regarding these accounts, and either account may be closed or suspended for violation of acceptable use. The responsibility for using any other unauthorized e-mail accounts lies solely with the administrator(s) and/or educator(s) identified as responsible for those students, and such practice is discouraged by this policy.

G. INTERNET – WEB PUBLISHING

1. The Wood County Board of Education recognizes the educational benefits of publishing information on the Internet by school personnel and students. The West Virginia Department of Education establishes “Web Publishing Guidelines” in West Virginia Department of Education Policy 2460, Section 10. Wood County Schools personnel and students shall adhere to those guidelines when publishing information on the Internet, except to the extent that the County Technology Committee and/or School Technology Committee establish procedures that are more restrictive than Policy 2460.

2. The Director of Technology shall annually provide principals with a copy of West Virginia Department of Education Policy 2460, Educational Purpose and Acceptable Use of Electronic Resources, Technologies, and the Internet, and any procedures established by the County Technology Committee. Revisions to Policy 2460 or county procedures shall be provided upon release. The principal is responsible for distribution of Policy 2460 and county procedures to staff and students involved with web publishing.

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Sample Parent/Guardian Notification Form

Date: ____________________________________________________________

Dear Parent/Guardian,

I am planning to show ____________________________________ to my –th grade _________________________________ class.

___________________________________________ class. The film/video is rated ____________ by the Motion Picture Association.

The rating is due to these factors:

The purpose of seeing this film/video is to:

_____ The film/video will be shown in its entirety.

_____ Only the following portion will be shown: _________________________________
If you wish to preview the film/video, you may see it at:

Teacher: __________________________

Please sign below and return this form with your child on or before _______________________.

Title of Film/Video: ______________________________________________

____  My child has my approval to view this film/video.

_____ I do not want my child to view this film/video. Please substitute a meaningful, related activity instead.

Student’s name: ________________________________

Parent or Legal Guardian’s signature: ________________________________