

**Internet Acceptable Use: Filtering as defined by the Children's Internet Protection Act****Access to Electronic Networks**

Electronic networks, including the Internet, are a part of the District's instructional program in order to promote educational excellence by facilitating resource sharing, innovation, and communication.

The District is not responsible for any information that may be lost, damaged, or unavailable when using the network or for any information that is retrieved or transmitted via the Internet. In addition the District will not be responsible for any unauthorized charges or fees resulting from access to the Internet.

**Curriculum**

The use of the District's electronic networks shall:

1. be consistent with the curriculum adopted by the Board of Education as well as the varied instructional needs, learning styles, abilities, and developmental levels of the students, and
2. comply with the selection criteria for instructional materials and library-media center materials.

Staff members may, consistent with the Superintendent's regulations and implementation plan, use the Internet throughout the curriculum.

The District's electronic network is part of the curriculum and is not a public forum for general use.

**Acceptable Use**

All use of the District's electronic network must be:

1. in support of education and/or research and be in furtherance of the Board of Education's goals, or
2. for a legitimate school business purpose.

Use is a privilege, not a right. Students and staff members have no expectation of privacy in any material that is stored, transmitted, or received via the District's electronic network or computers. Electronic communications and downloaded material, including files deleted from a user's account but not erased, may be monitored or read by school officials.

**Internet Safety**

Each district computer with Internet access shall have a filtering device that blocks entry to visual depictions that are obscene, pornographic, or harmful or inappropriate for students as defined by the Children's Internet Protection Act and as determined by the Superintendent or

his/her designee. The Superintendent, or his/her designee, shall enforce the use of such filtering devices. An administrator, supervisor, or other authorized person may disable the filtering device for bona fide research or other lawful purpose, provided the person receives prior permission from the Superintendent or his/her designee.

The Superintendent, or his/her designee, shall include measures in this policy's implementation plan and administrative regulation to address the following:

1. limiting student access to inappropriate matter as well as restricting access to harmful materials;
2. student safety and security when using electronic communications;
3. limiting unauthorized access, including "hacking" and other unlawful activities; and
4. limiting unauthorized disclosure, use and dissemination of personal identification information.
5. The District recognizes its responsibility to educate students regarding appropriate behavior on social networking and chat room sites about cyberbullying. Therefore, students shall be provided instruction about online behavior, including interacting with other individuals on social networking sites and in chat rooms and cyberbullying awareness and response.
6. Limiting exposure to viruses and other harmful downloads.

#### **Authorization for Electronic Network Access**

Each student and his/her parent or guardian must sign the District's authorization form (see policy 4118.5 Form) prior to being granted supervised use of the network. Staff members must also sign the form as a condition of use.

All users of the District's computers and means of Internet access shall maintain the confidentiality of student records. Reasonable measures to protect against unreasonable access shall be taken before confidential student information is placed onto the network.

The failure of any student or staff member to follow the terms of the authorization form, or this policy, will result in the loss of privileges, disciplinary action, and/or appropriate legal action.

(cf. [6141.321](#)-Acceptable Use of the Internet)

(cf. [6141.322](#)-Web Sites/Pages)

Legal Reference: Connecticut General Statutes

[1](#)-19(b)(11) Access to public records. Exempt records.

[10](#)-15b Access of parent or guardians to students' records.

[10](#)-209 Records not to be public.

[11](#)-8a Retention, destruction, and transfer of documents.

[11-8b](#) Transfer or disposal of public records. State Library Board to adopt regulations.

[46b-56](#) (e) Access to Records of Minors.

Connecticut Public Records Administration Schedule V-Disposition of Education Records (Revised 1983).

Federal Family Educational Rights and Privacy Act of 1974 (section 438 of the General Education Provisions Act, as amended, added by section 513 of PL 93-568, codified at 20 U.S.C. 1232g).

Dept. of Education. 34 CFR. Part 99 (May 9, 1980, 45 FR 30802) regs. implementing FERPA enacted as part of 438 of General Education Provisions Act (20 U.S.C. 1232g)-parent and student privacy and other rights with respect to educational records, as amended 11/21/96.

Public Law 106-554 Fiscal 2001 Appropriations Law containing the “Children's Internet Protection Act.”

Public Law 94-553, The Copyright Act of 1976, 17 U.S.C. 101 et. Seq.

*Reno v. ACLU*, 521 U.S. 844 (1997)

*Ginsberg v. New York*, 390 U.S. 629, at 642, n.10 (1968).

*Board of Education v. Pico*, 457 U.S. 868 (1988).

*Hazelwood School District v. Kuhlmeier*, 484 U.S. 620, 267 (1988).

Public Law 110-385 Broadband Data Improvement Act/Protecting Children in the 21st Century Act

Policy adopted: June 13, 2019

NORTH CANAAN ELEMENTARY SCHOOL  
North Canaan, CT

## Instruction

### Internet Acceptable Use: Filtering

#### Preface

When minors are using the Internet, access to visual depictions that are obscene, child pornography, or harmful to minors must be blocked or filtered. When adults are using the Internet, only material which is obscene or child pornography must be filtered or blocked.

#### Definitions

1. **Obscene** is to be determined by the following test:

- Whether the average person, applying contemporary community standards, would find the work, taken as a whole, appeals to the prurient interest;
- Whether the work depicts sexual conduct in a patently offensive way; and
- Whether the work, taken as a whole, lacks serious literary, artistic, political, or scientific value.

2. **Child Pornography** as defined in 18 U.S.C. 2256 means any visual depiction, including any photograph, film, video, picture, computer, or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means, or sexually explicit conduct, where:

- The production of such visual depiction involves the use of a minor engaging in sexually explicit conduct;
- Such visual depiction is, or appears to be, of a minor engaging in sexually explicit conduct;
- Such visual depiction has been created, adapted, or modified to appear that an identifiable minor is engaging in sexually explicit conduct; or
- Such visual depiction is advertised, promoted, presented, described, or distributed in such a manner that conveys the impression that the material is or contains a visual depiction of a minor engaging in sexually explicit conduct.

3. Material “**Harmful to Minors**” is any picture, graphic image file, or other visual depiction that:

- Taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion;
- Depicts, describes, or represents, in a patently offensive way with respect to what is suitable to minors, an actual or simulated sexual act or sexual conduct, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and

- Taken as a whole, lacks serious literary, artistic, political, or scientific value to minors.

## **Criteria for Filtering of Objectionable Sites**

Anything that falls under at least one of the categories below shall be blocked/filtered. This list will be updated/modified as required.

### **Nudity/Pornography**

- Prevailing U.S. standards for nudity (e.g. genitalia, female breasts)
- Provocative semi-nudity (e.g. lingerie models)
- Sites which contain pornography or links to pornographic sites.
- **Exceptions:** Classical nudity (e.g. Michelangelo) swimsuit models.

### **Sexuality**

- Sites which contain material of a mature level (elementary/middle school levels)
- Images or descriptions of sexual aids
- Descriptions of sexual acts or techniques
- Sites which contain inappropriate personal ads.

### **Violence**

- Sites which promote violence
- Images or a description of graphically violent acts (rape, dismemberment, torture, etc.)
- Graphic autopsy or crime-scene images.

### **Crime**

- Information of performing criminal acts (e.g. drug or bomb making, computer “hacking”)
- Illegal file archives (e.g. software piracy).

### **Drug Use**

- Sites which promote the use of illegal drugs
- Material advocating the use of illegal drugs (e.g. marijuana, LSD) or abuse of any drug (e.g. drinking-game rules)
- **Exceptions:** Material with valid educational use (e.g. drug-use statistics).

### **Tastelessness**

- Images or descriptions of excretory acts (e.g. vomiting, urinating)

- Graphic medical images outside of a medical context
- **Exception:** Graphic medical images within a medical context.

### **Language/Profanity**

- Passages/words too coarse to be softened by the word filter
- Profanity within images/sounds/multimedia files
- Adult humor (e.g. sexually or racially tinged).

**NOTE:** The focus is on American English, but profanity in other languages or dialects is blocked if brought to our attention.

### **Discrimination/Intolerance**

- Material advocating discrimination (e.g. racial or religious intolerance)
- Sites which promote intolerance, hate, or discrimination.

### **Interactive Mail/Chat**

- Sites which contain or allow inappropriate e-mail correspondence.
- Sites which contain or allow inappropriate images.

### **Inappropriate Banner Acts**

- Advertisements containing inappropriate images.

### **Gambling**

- Sites which allow or promote online gambling.

### **Weapons**

- Sites which promote illegal weapons.
- Sites which promote the use of illegal weapons.

### **Other Inappropriate Material**

- Body modification: tattooing, branding, cutting, etc.

### **Judgment Calls**

- Whether a page is likely to have more questionable material in the future (e.g. sites under construction whose names indicate questionable material).

### **Procedures for Suggesting Site be Blocked or Unblocked**

If District staff members observe a site which they believe to contain inappropriate material according to the criteria provided here, they may request that the site (URL) be blocked.

Education Technology staff will review the site for inappropriateness. If the site meets the criteria for filtering, steps will be taken to block the site.

### **Disabling Blocking/Filtering Devices**

The technology protection measures used to block or filter a site may be disabled during use by an adult to enable access to bona fide research or other lawful purpose.

There are not exceptions to the requirement that Internet access be blocked/filtered at all times for minors. If material has been wrongly blocked, it must be unblocked by the company providing the software, after a request has been made by the school or library.

**Regulation approved:** June 13, 2019

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