

Adopted: March 19, 2014

Revised: _____

BLUESKY CHARTER SCHOOL POLICY No. 4.8.1
USE OF INTERNET, EMAIL, COMPUTERS, VOICEMAIL AND OTHER
ELECTRONIC SYSTEMS

I. PURPOSE

The purpose of this policy is to govern employee use of BlueSky Charter School's technology systems.

II. POLICY STATEMENT

Email, cell phone, voicemail and Internet access are made available to employees of BlueSky Charter School specifically for educational and business communications and information. Therefore, the content of all messages, documents and files transferred via BlueSky Charter School's email system, cell phone system, voicemail system and the content of Web pages accessed over the Internet should be directly related to the business of BlueSky Charter School.

III. EMAIL SYSTEM

The primary purpose of the email system is to facilitate timely communications with BlueSky Charter School staff, students, families and other business associates of BlueSky Charter School. All aspects of the email system, including software, passwords and the contents of the email messages themselves are the property of BlueSky Charter School. All data files, email messages and other information contained in the system belong to BlueSky Charter School. All work produced using the systems are the property of BlueSky Charter School.

IV. BLUESKY CHARTER SCHOOL'S PROPERTY

All work product, whether on paper, voicemail or electronic, is the property of BlueSky Charter School and constitutes business and educational records of BlueSky Charter School. These records may be audited by government agencies, subpoenaed into court or disclosed pursuant to state or federal law, and should reflect the professionalism of BlueSky Charter School and the employee.

V. ACCESS AND MONITORING

This policy does not constitute legal advice; any questions regarding this policy should be directed to your attorney.

BlueSky Charter School has the right to access each employee's computer, computer files, disks and to intercept, monitor and review all email messages which are received by or distributed from any BlueSky Charter School-owned computer or in accordance with BlueSky Charter School Policy 3.3 *Personal Computer Use for School Business*. Email messages that have been deleted from workstation computers may remain on back-up systems in the custody of BlueSky Charter School. Email and other electronic documents may be subpoenaed or requested for disclosure pursuant to state and/or federal law just like paper documents.

Improper use of the email system, including the use of profanity, vulgarity and off-color comments, or the receipt, distribution or duplication of any document which contains materials considered offensive or harassing, is not permitted by BlueSky Charter School policy. Care should be taken that the quality of all email correspondence meets the same professional standards as other written correspondence. Format, spelling and conciseness are just as important with email as other forms of communication.

VI. ANTI-HARASSMENT AND INAPPROPRIATE USE

Voicemail and email messages or computer "downloading" containing foul, offensive language, sexual content, racial, ethnic, religious or other discriminatory slurs are prohibited. Employees may not use the computer or other communication systems to solicit or proselytize for religious, charitable, commercial or political purposes.

VII. LICENSED SOFTWARE

Only legally licensed software may be used on the systems. BlueSky Charter School does not own all software or its related documentation, and, unless authorized by the software vendor or developer, does not have the right to reproduce either the software or its documentation. All software must be used in accordance with the software license agreement. Employees must not make, acquire or use unauthorized copies of computer software in connection with their employment or their use of BlueSky Charter School systems, including BlueSky Charter School files and data.

VIII. INTERNET ACCESS

The purpose of the Internet is to access information directly related to the business of BlueSky Charter School. In compliance with the law, BlueSky Charter School may install software which limits or disallows access to Web sites which are deemed inappropriate and/or unrelated to BlueSky Charter School business. In addition, BlueSky Charter School may install software which tracks each employee's activity on the Internet and maintain this log for as long as is deemed necessary. The unauthorized use, installation, copying or distribution of copyrighted, trademarked or patented material on

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the Internet is expressly prohibited. As a general rule, if an employee did not create the material, does not own the rights to it, or has not received authorization for its use, it should not be on the Internet. Employees are also responsible for ensuring that the person sending any material over the Internet has the appropriate distribution rights. Internet users should take the necessary anti-virus precautions before downloading or copying any file from the Internet. All downloaded files are to be checked for viruses; all compressed files are to be checked before and after decompression. Improper use of the Internet, including accessing sites for non-business or non-educational (personal) purposes; accessing sites which use profanity, vulgarity and off-color language; or accessing sites which contain materials considered offensive or harassing, is not permitted.

IX. PERSONAL USE EXCEPTIONS MAY BE GRANTED

Personal use of email or the Internet is generally not allowed. Brief and occasional personal use of the electronic mail system or the Internet is acceptable as long as it is not excessive or inappropriate, occurs during personal time (lunch or other breaks), and does not result in expense or harm to BlueSky Charter School or otherwise violate this policy.

X. SECURITY

The computer and network systems - and the data on those systems - are critical to the conduct of BlueSky Charter School business. Security of those systems and data is a responsibility of all employees. Therefore, employees should not disclose anyone's password (including their own) or enable unauthorized third parties to have access to or use the system, or in any way jeopardize the security of the systems. Employees should notify their supervisor upon observing or learning of any violation of this policy.

Legal References: 15 U.S.C. §6501 *et seq.* (Children's Online Privacy Protection Act)
17 U.S.C. §101 *et seq.* (Copyrights)
20 U.S.C. §6751 *et seq.* (Enhancing Education through Technology Act of 2001)
47 U.S.C. §254 (Children's Internet Protection Act of 2000 (CIPA))
47 C.F.R. §54.520 (FCC rules implementing CIPA)
Minn. Stat. §125B.15 (Internet Access for Students)
Minn. Stat. §125B.26 (Telecommunications/Internet Access Equity Act)
Tinker v. Des Moines Indep. Cnty. Sch. Dist., 393 U.S. 503 (1969)
United States v. American Library Association, 539 U.S. 194 (2003)
Layshock v. Hermitage Sch. Dist., 412 F.Supp. 2d 502 (2006)
J.S. v. Bethlehem Area Sch. Dist., 807 A.2d 847 (Pa. 2002)

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Acknowledgment and Authorization

I understand that BlueSky Charter School monitors the computer, Internet, cell phone and all other electronic usage of all employees and has the ability to do so at any time, including viewing my work, email, Internet usage and any other usage at the time it is occurring, and that copies of my usage and any messages received by me may be made at the time of usage or anytime thereafter and are the property of BlueSky Charter School. I understand and agree that BlueSky Charter School and systems network administrators and Information Technologist (IT) consultants (agents) may consent to a law enforcement agency's search and retrieval of information. I understand that BlueSky Charter School keeps an archived record of all electronic usage, including use of my personal electronic accounts which are accessed using BlueSky Charter School's computer. I authorize BlueSky Charter School and its agents and systems network administrators to engage in this monitoring and to intercept, inspect, retrieve, download, copy, disclose, disseminate and use any and all information or messages sent or received, whether of a business or a personal nature, from my internal computer system and Internet usage, any BlueSky Charter School telephones, cell phones or any other BlueSky Charter School electronic devices or records.

Employee's Name

Date