

AN ORDINANCE AMENDING CHAPTER 5, ARTICLE 6, SECTION 5-6.3 ENTITLED "COMPUTER SYSTEM PROVIDED; PRIVILEGE NOT A RIGHT; SUPERINTENDENT TO DEVELOP REGULATIONS TO INCLUDE GUIDELINES; USE MUST BE CONSISTENT WITH EDUCATION MISSION; NO EXPECTATION OF PRIVACY; CERTAIN SOFTWARE USE PROHIBITED" OF THE POLICIES OF THE SUFFOLK CITY SCHOOL BOARD - FIRST READING

BE IT ORDAINED, by the School Board of the City of Suffolk, Virginia that Chapter 5, Article 6, Section 5-6.3 entitled "Computer system provided; privilege not a right; superintendent to develop regulations to include guidelines; use must be consistent with education mission; no expectation of privacy; certain software use prohibited" of the Policies of the Suffolk City School Board, be, and the same is hereby amended as follows:

Section 5-6.3. Computer system provided; privilege not a right; superintendent to develop regulations to include guidelines; use must be consistent with education mission; no expectation of privacy; certain software use prohibited. — A. The School Board provides a computer system, including the internet, to promote educational excellence by facilitating resource sharing, innovation and communication. The term computer system includes, but is not limited to, hardware, software, data, communication lines and devices, terminals, display devices, printers, CD DVD and other media devices, tape or flash drives, storage devices, servers, mainframe and personal computers, tablets, laptops, telephones, cameras, projectors, multimedia devices, workstations, the internet and other electronic services and internal or external networks. This includes any device that may be connected to or used to connect to the school division's network or electronically stored division material.

B. All use of the Division's computer system must be (1) in support of education and/or research, or (2) for legitimate school business. Use of the computer system is a privilege, not a right. Inappropriate use may result in cancellation of those privileges, disciplinary action, and/or legal action. Any communication or material generated using the computer system, including electronic mail, social media posts, instant or text messages, tweets, and other files including communications and materials deleted from a user's account, may be monitored, read, and/or archived by division staff.

This policy applies to all users of the division's computer system. By using or accessing the computer system, the user agrees to abide by this policy and the Technology Use Guidelines established by the superintendent.

C. The school superintendent is responsible for establishing Technology Use Guidelines containing the appropriate uses, ethics and protocols for use of the computer system. The superintendent is also responsible for reviewing and updating, as necessary,

the Guidelines at least every two years. It is the user's responsibility to know and follow this policy and the Technology Use Guidelines.

The Guidelines include:

- (1) a prohibition against the use of Suffolk Public Schools computer equipment and communications services for sending, receiving, viewing or downloading illegal material via the internet by Suffolk Public School employees and students;
- (2) provisions, including the selection and operation of a technology protection measure for Suffolk Public Schools' computers having Internet access to filter or block Internet access through such computers, that seek to prevent access to:
 - a. child pornography as set out in Va. Code § 18.2-374.1:1 or as defined in 18 U.S.C. § 2256;
 - b. obscenity as defined by Va. Code § 18.2-372 or 18 U.S.C. § 1460; and
 - c. material that Suffolk Public Schools deems to be harmful to juveniles as defined in Va. Code § 18.2-390, material that is harmful to minors as defined in 47 U.S.C. § 254(h)(7)(G), and material that is otherwise inappropriate for minors;
- (3) provisions establishing that the technology protection measure is enforced during any use of the computers;
- (4) provisions establishing that all usage of the computer system may be monitored;
- (5) provisions designed to educate students and employees about appropriate online behavior, including interacting with students and other individuals on social networking websites, blogs, chat rooms, and cyberbullying awareness and response;
- (6) provisions designed to prevent unauthorized online access by minors, including "hacking" and other unlawful online activities;
- (7) provisions requiring every user to protect the security of information necessary to access the computer system, such as usernames and passwords, and prohibiting the sharing of passwords;
- (8) provisions prohibiting the unauthorized disclosure, use, and dissemination of photographs and/or personal information of or regarding minors; and
- (9) a component of internet safety for students that is integrated in Suffolk Public Schools' instructional program.

D. Use of Suffolk Public Schools' computer system must be consistent with the educational or instructional mission or administrative function of Suffolk Public Schools

as well as the varied instructional needs, learning styles, abilities and developmental levels of students. Suffolk Public Schools' computer system is not a public forum.

E. Users of the division's computer system have no expectation of privacy for use of the division's resources or electronic devices including non-division owned devices while connected to division networks or computer resources.

F. Software and/or services may not be installed or downloaded on the division's computer system without the prior approval of the superintendent or superintendent's designee. No employee or agent of the School Board or person or entity contracting with the School Board may download or use any application, including TikTok or WeChat, or access any website developed by ByteDance Ltd. or Tencent Holdings Ltd. (i) on any device or equipment issued, owned, or leased by the School Board, including mobile phones, desktop computers, laptop computers, tablets, or other devices capable of connecting to the Internet.

G. The failure of any user to follow the terms of the Agreement, this policy or the Technology Use Guidelines may result in loss of computer system privileges, disciplinary action, and/or appropriate legal action.

H. The School Board is not responsible for any information that may be lost, damaged or unavailable when using the computer system or for any information retrieved via the Internet. Furthermore, the School Board is not be responsible for any unauthorized charges or fees resulting from access to the computer system. The School Board School Board reviews and amends, if necessary, and approve this policy every two years. (Adopted March 10, 2005; Ordinance Number 04/05-19; Effective Date: July 1, 2005; Revised May 12, 2016; Ordinance Number 15/16-42; Effective Date; July 1, 2016; Ordinance Number 19/20-29, Revised/Effective Date: November 14, 2019; Ordinance 22/23-43, Revised/Effective: February 9, 2023)

Legal Authority – 18 U.S.C. §§ 1460, 2256. 47 U.S.C. §254; Virginia Code §§ 2.2-5514.1, 18.2-372, 18.2-374.1:1, 18.2-390, 22.1-70.2, and 22.1-78 (1950), as amended.

BE IT FURTHER ORDAINED that all phrases, clauses, sentences, paragraphs, subsections, sections and chapters of the School Board's Policy Manual not amended or repealed shall remain in full force and effect.

FIRST READING: _____

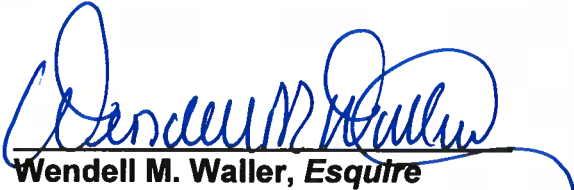
SECOND READING: _____

EFFECTIVE DATE: _____

TESTE: _____

CLERK

Approved as to form and content:



Wendell M. Waller, Esquire
School Board Attorney