

Policy Committee Meeting
 Duluth Public Schools, ISD 709
 Agenda
 Thursday, April 8, 2021
 District Services Center
 709 Portia Johnson Dr.
 Duluth, MN 55811
 4:30 PM

1. AGENDA ITEMS

2. POLICIES FOR FIRST READING

A. Naming Rights Policy 2
 Attached is our current policy and two other sample policies for review/updating.

Cathy Erickson

B. Policy Regarding School Admission for Foreign Exchange Students 12
 Attached is our current policy and a draft of a new policy (updated 4/8).

C. Policy 3187 - Use Policy For Internet Access and Regulation 15
3187R Pulling from Agenda - MSBA has made changes to their policy and we will be reviewing it in the near future.
~~We would like to renumber Policy 3187 and Regulation 3187R to MSBA Policy number 524. When the policy was revised the model policy was used in development, but the numbering was not. This item will only require one reading if approved with the numbering change only.~~

3. POLICIES FOR SECOND READING

4. REGULATIONS - Informational

5. OTHER

A. Policies Suspended Due to COVID/Emergency Orders 25

7105 NAMING NEW SCHOOLS

The following are guidelines for the naming of new schools:

- Senior High Schools - Locality or region of the school, or pioneer of the School District area
- Middle Schools - More recent prominent citizens, or locality
- Elementary Schools - Currently living outstanding citizens, former school board members, or retired principals, teachers, or locality

Responsibility for making nominations of names to the School Board will reside in a joint committee of the School Board and the professional staff. The School Board representatives will be appointed by the Chair of the School Board. The staff representatives will be appointed by the Superintendent.

The School Board shall make the final decision in selecting the names for schools.

Adopted: 06-09-1970 ISD 709

Revised: 10-11-1983

06-20-1995 ISD 709

Sample Policy 808 – Naming Buildings – Local – No MSBA template

Buildings and Sites

Naming Facilities and Educational Programs

I. Purpose

This policy establishes the criteria and procedures for naming school district facilities and educational programs.

II. General Statement of Policy

The school district recognizes the importance and significance of naming school district facilities and educational programs. The district will follow policy procedures when reviewing and acting upon all nominations. Facilities are district-owned buildings and properties and include spaces within buildings as well as outdoor fields, streets and areas. Educational programs are district approved learning opportunities that support a specific need or learning goal identified by the district.

III. New or Existing Facility Names

A. New Names

When a new facility is acquired or constructed, or when an existing space is named for the first time, the school board will appoint a committee consisting of community members, students and employees to recommend appropriate names for the new facility.

Following the procedures outlined in this policy, the committee will provide two or three possible names to the superintendent who will make a recommendation to the school board for consideration. The possible names will be included in the minutes. The school board will make the final decision on the name of any district facility in accordance with the guidelines in this policy.

B. Name Changes

Once a facility or space is named, that name will remain with the facility or space unless changed or removed by the school board. Names will be changed using the same process outlined above. Names may be changed when the specific program or theme for which the facility was named changes, when the current name no longer supports the objective of the

facility, or due to additions or renovations to an existing facility. Names may be removed at the discretion of the school board.

IV. Naming of Facilities

A. Naming in Recognition

The district may name a facility or space to recognize outstanding contributions to the district. Naming in recognition for such contributions is at the district's discretion and in support of its mission. When naming a facility or space after an individual, consideration will be given to persons who have significance to students, employees and/or the community. One of the following criteria must be met for naming in recognition under this paragraph:

1. Recognition of outstanding service to the district while serving in an academic or administrative capacity or outstanding service to the district community; or
2. Recognition of the achievements of distinguished alumni; or
3. Recognition of a generous financial or other contribution from a donor (be it by way of donation, bequest, sponsorship, etc.) that was not made in exchange for naming a facility or space.

B. Specific Naming Agreement

1. The school district recognizes that circumstances exist when the district may enter into an agreement for the specific naming of a facility or space in exchange for a specific financial or other contribution to the district. All such agreements must be in writing.
2. Transferability and Renewability

If a name is granted by a written agreement, those rights may be transferred or renewed as permitted by the written agreement. Other naming rights are not transferable or renewable.

3. Limit of Naming Rights

- a. On the Part of the District

The district's right to use the name and other brand elements of the named party is permitted by express agreement with the named party.

b. On the Part of the Named Party

The party after whom a facility or space is named has no decision making rights as to the purpose of the facility or space unless specifically provided for in the written agreement between the parties. The district will not agree to any condition in an agreement that could unnecessarily limit progress toward the district's mission and purpose, statutory obligation, or the local authority of the school board. In turn, the named party has no liability with respect to that facility or space unless provided for in a specific contract between the parties. Any such limits must be included in any naming rights' agreement.

4. Termination of Naming Rights

In addition to any remedies for breach of the written agreement granting naming rights, the parties may terminate a naming rights agreement in advance of the scheduled termination date under the following conditions:

a. Termination by the District

The district reserves the right, at its sole discretion, to terminate the naming rights without refund of consideration, prior to the scheduled termination date, should it feel it is necessary to do so to avoid the district being brought into disrepute.

b. Termination by the Named Party

The named party may, without refund of consideration, at its sole discretion, terminate its acceptance of the naming rights prior to the scheduled termination date, in the event that the district directly brings the named party into disrepute.

V. Naming of Educational Programs

A. Naming in Recognition

The district may name an educational program to recognize outstanding contributions to the district. Naming in recognition for such contributions is at the district's discretion and in support of its mission. When naming a specific program after an individual, organization or company, the following criteria must be met for naming in recognition under this paragraph:

1. Recognition of a generous financial or other contribution from a donor (be it by way of donation, bequest, sponsorship, etc.) that was made to support a specific educational program.

2. Commitment of the donor to support the financial commitment of the specific educational program for the term of the program's operation in the district. The district may extend the donor's name beyond the contribution if noted in the agreement.

B. Specific Naming Agreements

1. The school district will enter into an agreement for the specific naming of an educational program in exchange for a specific financial or other contribution to the district. All such agreements must be in writing.

2. Transferability and Renewability

If a name is granted by a written agreement, those rights may be transferred or renewed as permitted by the written agreement. Other naming rights are not transferable or renewable.

3. Limit of Naming Rights

a. On the Part of the District

The district's right to use the name and other brand elements of the named party is permitted by express agreement with the named party.

b. On the Part of the Named Party

The party after whom an educational program is named has no decision-making rights as to the function or implementation of the educational program, unless specifically provided for in the written agreement between the parties. The district will not agree to any condition in an agreement that could unnecessarily limit progress toward the district's mission and purpose, statutory obligation, or the local authority of the school board. In turn, the named party has no liability with respect to the educational program unless provided for in a specific contract between the parties. Any such limits must be included in any naming rights' agreement.

4. Termination of Naming Rights

In addition to any remedies for breach of the written agreement granting naming rights, the parties may terminate a naming rights agreement in advance of the scheduled termination date under the following conditions:

a. Termination by the District

The district reserves the right, at its sole discretion, to terminate the naming rights without refund of consideration, prior to the scheduled termination date, should it feel it is necessary to do so to avoid the district being brought into disrepute.

b. Termination by the Named Party

The named party may, without refund of consideration, at its sole discretion, terminate its acceptance of the naming rights prior to the scheduled termination date in the event that the district directly brings the named party into disrepute.

VI. Procedures for Naming

A. In naming all facilities, spaces, or specific educational programs, due regard will be taken to maintain an appropriate balance between commercial considerations and the role that names of facilities, spaces and educational programs contribute to the school district's mission. Also recognized is the role played by the name of a facility, space or education program in assisting employees, students and visitors to orient themselves.

B. Names must always be consistent with the district's mission and vision. The long-term effects of the name must be considered. The department/school affected by the name to be granted must be consulted before any decision is made.

C. The district will not name a facility, space or educational program without the informed consent of the named party.

D. The superintendent will decide the monetary valuation of each naming right after receiving a recommendation from the director of business services who may take advice from such persons or other professionals, as needed. Each case should take into account market comparisons for naming rights for which professional advice may be sought.

E. The duration of a name for a facility, space or educational program is decided or negotiated on a case-by-case basis.

F. Whether there is a physical display of the name is decided or negotiated on a case-by-case basis. In the case of buildings, the physical display of the name will take into account the identification of the school district and opportunities offered by that building for the district. Plaques memorializing the name may be installed with the approval of the superintendent and informed consent of the named party in buildings.

Sample Policy 809 – Naming Rights – Local – No MSBA template

Naming Rights

I. Purpose

The purpose of this policy is to establish the criteria and procedures for granting naming rights in relation to school district facilities, including buildings and grounds.

This policy does not include scholarships or research grants.

II. General Statement of Policy

Duluth Public Schools recognizes two circumstances in which the school district may grant naming rights: Naming rights in consideration and naming rights in recognition. In each circumstance, the school district enters into a written agreement about the nature of the naming right. The provisions of this policy govern any agreement.

III. Definitions

- A. “Facilities” are district-owned buildings and properties, including outdoor fields, streets and areas.
- B. “Naming rights in consideration” is recognition for financial contributions, sponsorship or other commercial transactions.
- C. “Naming rights in recognition” is recognition of a significant contribution to the school district that the district wishes to honor.

IV. Naming Rights in Consideration

The school district may grant naming rights in consideration to recognize contributions made to the district. The contribution may be a financial contribution, sponsorship or the provision of equipment, materials, land or services. These contributions are at the discretion of the school district.

V. Naming Rights in Recognition

- A. The school district may grant naming rights in recognition to recognize contributions to the district that were not contributed to the district for the purpose of receiving naming rights. Naming rights for these contributions are at the discretion of the school district.
- B. One of the following criteria must be met for granting naming rights in recognition:

1. Recognition of outstanding service to the school district while serving in an academic or administrative capacity or outstanding service to the Edina community; or
2. Recognition of the achievements of distinguished alumni; or
3. Recognition of a generous financial or other contribution from a donor (be it by way of donation, bequest, sponsorship, etc.), such being voluntary and not rendered in consideration of granting of naming rights.

VI. Granting Naming Rights

A. In granting naming rights, either “in consideration” or “in recognition,” due regard should be taken of the need to maintain an appropriate balance between commercial considerations and the role which names of buildings and spaces contribute to the school district’s sense of identity as well as their role in assisting staff, students and visitors to orient themselves within a campus.

B. The granting of naming rights must always be consistent with the school district’s mission and vision. The long-term effects of the naming rights must be considered. The department/school affected by the naming right to be granted must be consulted before any decision is made.

C. The granting of naming rights may be limited by contractual agreements for programs and services as approved by the school board.

D. Each granting of naming rights is bound by a written agreement defined by this policy and all other applicable board policies.

1. Items for Which Naming Rights May Be Awarded:

Auditoriums/Theaters

Gymnasiums

Libraries

Gardens/Walks

Athletic Fields/Facilities

Concessions/Locker Rooms

Other areas as approved by the school board

2. Informed Consent

The school district shall not grant a naming right without the informed consent of the named party.

3. Monetary Valuation of Naming Rights

Monetary valuations may be assigned to proposed naming rights on a case-by-case basis to aid with making decisions about granting naming rights.

4. Guidelines

The superintendent will decide the monetary valuation of each naming right after receiving a recommendation from the director of business services who may take advice from such persons or other professionals, as needed. Each case should take into account market comparisons for naming rights for which professional advice may be sought.

5. Duration of Naming Rights

The duration of naming rights is decided or negotiated on a case-by-case basis.

6. Physical Display of Naming Rights

a. Whether there is a physical display of the naming rights is decided or negotiated on a case-by-case basis. In the case of buildings, the physical display of the naming rights will take into account the identification of the school district and opportunities offered by that building for the district.

b. When “naming rights in recognition” is awarded, plaques may, with the approval of the superintendent, be installed in buildings.

7. Transferability

“Naming rights in consideration” may be transferred by mutual agreement between all parties. “Naming rights in recognition” may not be transferred.

8. Renewability

Naming rights may be renewed by mutual agreement between all parties.

9. Limit of Naming Rights

a. On the Part of the District

The school district's right to use the name and other brand elements of the named party is permitted by express agreement with the named party.

b. On the Part of the Named Party

The named party, after whom a building or part of a building is named, has no decision-making rights as to the purpose of the building or part of the building unless specifically provided for in the written agreement between the parties. The school district will not agree to any condition in an agreement that could unnecessarily limit progress toward the district's mission and purpose, statutory obligations, or the local authority of the school board. In turn, the named party has no liability in respect of that building or part of a building unless provided for in a specific contract between the parties. Any such limits must be included in any naming rights' agreement.

10. Termination of Naming Rights

In addition to any remedies for breach of the written agreement granting naming rights, the parties may terminate a naming rights agreement in advance of the scheduled termination date under the following conditions:

a. Termination by the District

The school district reserves the right, at its sole discretion, to terminate the naming rights without refund of consideration, prior to the scheduled termination date, should it feel it is necessary to do so to avoid the district being brought into disrepute.

b. Termination by the Named Party

The named party may, without refund of consideration, at its sole discretion, terminate its acceptance of the naming rights prior to the scheduled termination date, in the event that the school district directly brings the named party into disrepute.

Cross Reference: Policy 808 (Naming Facilities)

5045 FOREIGN EXCHANGE STUDENTS

The School Board believes that there is a benefit to the School District and the community by allowing foreign students to attend school and to associate with residents of the community. In admitting foreign exchange students, responsibilities must be shared by school personnel, community sponsors, and students. Protection of the well-being of the foreign student and his/her educational experience must be of primary importance. To ensure a positive experience for the student and the participating school, students will be accepted only from those sponsoring agencies that maintain a local director.

Adopted: 07-18-1978 ISD 709

Revised: 06-20-1995 ISD 709

DRAFT***540 SCHOOL ADMISSION FOR FOREIGN EXCHANGE STUDENTS*****I. PURPOSE**

The school district affirms the benefits of foreign exchange experiences for students and for the school district in hosting exchange students. The purpose of this policy is to ensure the admission of international students is in accordance with applicable federal and state laws and rules.

II. GENERAL STATEMENT OF POLICY

The board of education endorses the admission of international students when permitted by federal and state laws and rules. Participation of students representing multiple languages and cultures can extend and enrich the learning of all students and promote cross-cultural understanding.

III. SCHOOL ADMISSION FOR FOREIGN EXCHANGE STUDENTS

- A. The school district will accept exchange students from programs properly approved under federal and state laws and rules.
 1. The school district may limit the number of exchange students accepted due to large student enrollment.
 2. To ensure a positive experience for the student and the participating school, students will be accepted only from those sponsoring organizations that maintain a local coordinator.
 3. The Sponsoring organization/Exchange program must notify the high school principal of the potential exchange student and obtain written STUDENT ENROLLMENT APPROVAL. At this time all student records (Application, Health, Academics, English Fluency documentation) will be shared with the school. Upon acceptance & arrival the host family/local coordinator will contact the school to complete additional enrollment and scheduling processes.
 4. The school placement must be arranged prior to the student's departure from their home country, in most cases this will be done in May of the school year prior to enrollment.
 5. The potential exchange student must be of appropriate age and meet the following criteria to be admitted to Duluth Public Schools on a tuition-free basis:
 - a. The student's Host Family is a resident of the Duluth Public School district.

- b. The student has a J-1 visa and is attending school as part of an approved cultural exchange program.
 - c. The exchange student must provide evidence of significant English fluency documented in their exchange program application packet.
 - d. The exchange student must receive all vaccinations required by the Minnesota school immunization law.
 - e. The student has not received a high school diploma or the equivalent.
6. Maximum enrollment period is one school year. Preference will be given to students participating in one year exchange programs. The exception would be short term programs.
- 7.. Host parents are designated as guardians.

IV. POST-SECONDARY ENROLLMENT OPTION PROGRAM

- A. Exchange students enrolled in the district under a cultural exchange program are ineligible to participate in the PSEO (Post-Secondary Enrollment Options) Program.

V. PARTICIPATION IN EXTRACURRICULAR ACTIVITIES

- A. According to the Minnesota State High School League Rules, exchange students who transfer through a recognized foreign exchange program are eligible to compete at all levels of interscholastic competition.

VI. SUPPORT

- A. The principal shall designate one administrator or member of the professional staff as the liaison for exchange students.
- B. Responsibilities must be shared by school personnel, program sponsors, host families, and students. Protection of the well-being of the foreign exchange and their educational experience must be of primary importance.

Legal References: MINN. STAT. § 120A.20 Admission to Public School

3187 524 USE POLICY FOR INTERNET ACCESS

A. Purpose

The purpose of this policy is to set forth policies and guidelines for access to the Duluth Public Schools' computer system and responsible and safe use of the Internet, including electronic communications.

B. General Statement of Policy

In making decisions regarding student and employee access to the Duluth Public Schools' computer system and the Internet, including electronic communications, the school district considers its own stated educational mission, goals, and objectives. Electronic information research skills are now fundamental to preparation of citizens and future employees. Access to the school district computer system and to the Internet enables students and employees to explore thousands of libraries, databases, blogs, and other resources while exchanging messages with people around the world. The school district expects that faculty will promote responsible use of the school district computer system and the Internet throughout the curriculum and will provide guidance and instruction to students in their use.

C. Limited Forum for District's Educational Use

The Duluth Public Schools is providing students and employees with access to the school district computer system, which includes Internet access. The purpose of the system is more specific than providing students and employees with general access to the Internet. The school district system has a limited educational purpose, which includes use of the system for classroom activities, educational research, and professional or career development activities. Users are expected to use Internet access through the district system to further educational and personal goals consistent with the mission of the school district and school policies. Uses which might be acceptable on a user's private personal account on another system may not be acceptable on this limited-purpose network.

D. Use of System is a Privilege

The use of the Duluth Public Schools' system and access to use of the Internet is a privilege, not a right. Depending on the nature and degree of the violation and the number of previous violations, unacceptable use of the school district system or the Internet may result in one or more of the following consequences: suspension or cancellation of use or access privileges; payments for damages and repairs; discipline under other appropriate school district policies, including suspension, expulsion, exclusion or termination of employment; or civil or criminal liability under other applicable laws.

Guidelines for Internet Access use are contained in Regulation 3187R.

Internet Safety

A. Introduction

It is the policy of the Duluth Public Schools to:

- (1) prevent user access over its computer network to, or transmission of, inappropriate material via Internet, electronic mail, or other forms of direct electronic communications;

- (2) prevent unauthorized access and other unlawful online activity;
- (3) prevent unauthorized online disclosure, use, or dissemination of personal identification information of minors;
- (4) educate minors about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyberbullying awareness and response; and
- (5) comply with the Children’s Internet Protection Act [Pub. L. No. 106-554 and 47 USC 254(h)] and Protecting the children in the 21st Century Act.

B. Definitions

Key terms are as defined in the Children’s Internet Protection Act.

C. Access to Inappropriate Material

To the extent practical, technology protection measures (or “Internet filters”) shall be used to block or filter Internet. Specifically, as required by the Children’s Internet Protection Act, blocking shall be applied to visual depictions that are deemed obscene, child pornography, or harmful to minors.

Specifically, as required by the Children’s Internet Protection Act, blocking shall be applied to visual depictions of material deemed obscene or child pornography, or to any material deemed harmful to minors.

Subject to staff supervision, technology protection measures may be disabled or, in the case of minors, minimized only for bona fide research or other lawful purposes.

D. Inappropriate Network Usage

To the extent practical, steps shall be taken to promote the safety and security of users of the Duluth Public Schools online computer network when using electronic mail, blogs, instant messaging, and other forms of direct electronic communications.

Specifically, as required by the Children’s Internet Protection Act, prevention of inappropriate network usage includes:

- (1) unauthorized access, including so-called ‘hacking,’ and other unlawful activities; and
- (2) unauthorized disclosure, use, and dissemination of personal identification information regarding minors.

E. Supervision and Monitoring

It shall be the responsibility of all members of the Duluth Public Schools staff to supervise and monitor usage of the online computer network and access to the Internet in accordance with this policy and the Children’s Internet protection Act.

Procedures for the disabling or otherwise modifying any technology protection measures shall be the responsibility of the Technology Department or designated representatives.

F. CIPA definitions of terms:

TECHNOLOGY PROTECTION MEASURE. The term “technology protection measure” means a specific technology that blocks or filters Internet access to visual depictions that are:

- (1) **OBSCENE**, as that term is defined in section 1460 of title 18, United States Code;
- (2) **CHILD PORNOGRAPHY**, as that term is defined in section 2256 of title 18, United States Code; or

- (3) HARMFUL TO MINORS. The term “harmful to minors” means any picture, image, graphic image file, or other visual depiction that:
- (a). Taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion;
 - (b). Depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and
 - (c). Taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.
4. SEXUAL ACT; SEXUAL CONTACT. The terms “sexual act” and “sexual contact” have the meanings given such terms in section 2246 of title 18, United States Code.

REFERENCES: Children’s Internet Protection Act
Protecting Children in the 21st Century Act

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. Cmty. Sch. Dist., 393 U.S. 503, 89 S.Ct. 733, 21 L.Ed.2d 731 (1969)
United States v. American Library Association, 539 U.S. 194, 123 S.Ct.2297, 56 L.Ed.2d 221 (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)

Cross References: MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
MSBA/MASA Model Policy 406 (Public and Private Personnel Data)
MSBA/MASA Model Policy 505 (Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees)
MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)
MSBA/MASA Model Policy 519 (Interviews of Students by Outside Agencies)
MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)
MSBA/MASA Model Policy 522 (Student Sex Nondiscrimination)
MSBA/MASA Model Policy 603 (Curriculum Development)
MSBA/MASA Model Policy 604 (Instructional Curriculum)
MSBA/MASA Model Policy 606 (Textbooks and Instructional Materials)
MSBA/MASA Model Policy 806 (Crisis Management Policy)
MSBA/MASA Model Policy 904 (Distribution of Materials on School District Property by Nonschool Persons)

Adopted: 12-16-1997 ISD 709
Revised: 07-17-2001
06-12-2007
05-13-2008
04-02-2012
06-19-2012 ISD 709

Renumbered 4.27.21

~~3187~~ 524- 3 of 3

These regulations pertain to the use of District and personal technology resources while on school property, in school vehicles and at school-sponsored activities, as well as the use of District technology resources via off-campus access.

A. Appropriate Use of Technology Resources for Students

(1) Introduction

The Duluth Public Schools is pleased to offer students access to District computers, communications systems¹, the Internet and an array of technology resources to promote educational excellence. Each student is responsible for his/her use of technology, whether personal or District-provided. While using District and personal technology resources on school property, in school vehicles and at school-sponsored activities, as well as using District technology resources via off-campus access, each student must act in an appropriate manner consistent with school, District, and legal guidelines in this limited forum. It is the joint responsibility of school personnel and the parent or guardian of each student to educate the student about his/her responsibilities and to establish expectations when using technology.

(2) Using the Internet and Communications Systems¹

District technology resources are provided to students to conduct research, complete assignments, and communicate with others in furtherance of their education.

- (a) Access is a privilege not a right; as such, general rules of school behavior apply.
- (b) Access to these services is given to students who agree to act in a considerate and responsible manner. Just as students are responsible for good behavior in a classroom or a school hallway, they must also be responsible when using school computer networks or personal technologies.
- (c) Students must comply with District standards and honor this agreement to be permitted the use of technology.
- (d) All digital storage that is provided by the District is District property, and as such, authorized district employees may review files and communications to maintain system integrity and ensure that students are using technology responsibly.
- (e) Students should not expect District provided file storage will be private.
- (f) The educational value of technology integration in curriculum is substantial. Access to the Internet will enable students to use extensive online informational resources.
- (g) Families should be warned that some material accessible via the Internet might contain items that are illegal, defamatory, inaccurate, profane, sexually oriented or potentially offensive to some people. While the intent is to make Internet access available to further educational goals and objectives, students may find ways to access these other materials as well. The Duluth Public Schools does not condone or permit the use of this material and uses content filtering software to protect students to the extent reasonable.
- (h) Parents and guardians must be aware that content filtering software is not completely fail-safe and while at school, direct supervision by school personnel of each student using a computer is desired but not always possible.
- (i) Students are expected to use technology resources in a manner consistent with the rules below and will be held responsible for their intentional misuse.
- (j) The Duluth Public Schools believes that the benefits of student access to the Internet in the form of information resources and opportunities for collaboration exceed any disadvantages.
- (k) Ultimately, parents and/or guardians are responsible for setting and conveying

the standards that their children should follow when using technology. If a student accidentally accesses inappropriate material they should back out of that information at once and notify the supervising district employee.

- (l) When on district property or at a district sponsored event personal technologies must use district provided internet.

(3) Proper and Acceptable Use of All Technology Resources

All District technology resources, including but not limited to District computers, communications systems¹ and the Internet, must be used in support of education and academic research and must be used in a manner consistent with the educational mission and objectives of the Duluth Public Schools.

Activities that are permitted and encouraged include:

- (a) school work;
- (b) original creation and presentation of academic work;
- (c) research on topics being studied in school;
- (d) research for opportunities outside of school related to community service, employment or further education consistent with District requirements

Activities that are not permitted when using District or personal technologies include but are not limited to:

- (a) plagiarism or representing the work of others as one's own;
- (b) any activity that violates a school rule or a local, state, federal, or copyright law;
- (c) using obscene language; harassing, insulting, ostracizing, cyber bullying or intimidating others;
- (d) representing Copyright ©, Registered ®, and/or Trademark ™ materials as one's own work;
- (e) searching, viewing, communicating, publishing, downloading, storing, or retrieving materials that are not related to school work, community service, employment, or further education (thus, searching inappropriate materials is not permitted);
- (f) damaging or modifying computers, networks or District-installed software;
- (g) intentional or neglectful transmission of viruses or other destructive computer files; hacking into District or external technology systems; intentionally bypassing District filters;
- (h) use of USB, bootable CDs, or other devices to alter the function of a computer or a network;
- (i) subscription to any online services or ordering of any goods or services;
- (j) online sharing of any student's or staff member's name, home address, phone number or other personal information;
- (k) non-educational uses such as games, role-playing multi-user environments, gambling, junk mail, chain mail, jokes or raffles;
- (l) non-district supported participation in online Web 2.0 tools including but not limited to texting and social media unless specifically assigned by a district employee;
- (m) use of District resources for commercial purposes, personal financial gain, or fraud, including but not limited to any activity that requires an exchange of money and/or credit card numbers, any activity that requires entry into an area of service for which the school will be charged a fee, any purchase or sale of any kind; and any use for product advertisement or political lobbying;
- (n) pornographic, obscene, or vulgar images, sounds, music, video, language or materials, including screen savers, backdrops, and/or pictures, are prohibited
- (o) downloading, uploading, or importing games, screen animations as well as

programs or files that can be run or launched.

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- (p) Illegal use or transfer of copyrighted materials to a school-owned technology device is prohibited
- (q) File sharing unless District approved.
- (r) Adding, modifying or deleting files, except in the student's 'directory' or 'home directory,' are prohibited.
- (s) Putting non-school related material (files) on school district technology devices is prohibited.
- (t) Altering/modifying the original District pre-set software image is prohibited. Examples include, but are not limited to:
 - 1. loading/installing any software applications
 - 2. changing the desktop picture
 - 3. changing the computer name
 - 4. changing or removing operating system extensions
 - 5. altering security software
 - 6. altering the pre-loaded operating system or applications
 - 7. taking apart the computer for access to internal parts

Students are expected to report harassment, threats, hate-speech and inappropriate content to a teacher or administrator. If a student has any questions about whether a specific activity is permitted, he or she should ask a districted employee.

(4) Online Assessments

Student assessments may be conducted using technologies such as the Internet or audience response systems. Normally, students will use these technologies as a part of their instructional day. Privacy and security, as defined above, along with confidentiality of assessment responses, are expected.

(5) Vandalism

Any intentional act by a student that damages District technology hardware, software, operating systems, data, or services will be considered vandalism and will be subject to school rules and disciplinary procedures. Any intentional act that requires a person's time to repair, replace, or perform corrective work on District technologies or data is also considered vandalism.

(6) Consequences of Misuse

- (a) Misuse of personal² or District technology resources while on school property, in school vehicles and at school-sponsored activities, as well as the use of District technology resources via off-campus access may result in disciplinary action up to and including expulsion.
- (b) This regulation shall be used in conjunction with Duluth Public Schools' student policies. In addition, the student's use of District technologies may be suspended or restricted.
- (c) A school may temporarily hold (pending parental and/or same-day pick up) personal technology resources that are used inappropriately.
- (d) Individual schools may choose to have additional rules and regulations pertaining to the use of personal, resources in their respective buildings.
- (e) Intentional unauthorized access and/or damage to hardware, software, operating systems, data; or services may be punishable under local, state, or federal law.

(7) Student Access

Parents or guardians who do not wish their children to access the Internet must return the "**Student Internet Permission Form**" to their children's schools by the date indicated on the form. These forms will be distributed to all households with the Back-to-School information in August prior to the start of the school year.

(8) Student Photographs and Works Displayed on the Internet

Parents or guardians who do not wish their children's pictures or their children's student work to be displayed on the Internet must return the "Request To Deny Public Access To Directory Information and Annual Notification Of Rights Under the Family Education Rights And Privacy Act (FERPA)" form to their children's schools by the date indicated on the form. These forms will be distributed to all households with the Back-to-School information in August prior to the start of the school year.

B. Appropriate Use of Technology Resources for Staff

Employees of Duluth Public Schools are granted the privilege of using technology only in an authorized and acceptable manner. Generally, a use is unacceptable if it conflicts with Duluth Public Schools or the individual department's purpose, goal, or mission, or interferes with an employee's authorized job duties or responsibilities as determined by his/her immediate supervisor. For purposes of this policy, the term "staff" includes permanent and temporary personnel, substitutes, contract personnel, hourly non-contract personnel, student teachers, volunteers, and outside agency personnel allowed use of District technology access.

Administration reserves the right to archive, monitor, review, and audit an employee's use of technology at any time. By using technology, the user consents to this monitoring.

(1) Proper and Acceptable Use of All Technology Resources

Examples of acceptable uses include, but are not limited to, the following types of communication:

- (a) for educational purposes;
- (b) with students, staff, parents, and other customers of the District;
- (c) with federal, state, and local government personnel or agencies, and private businesses with which the School District conducts business;
- (d) for professional development;
- (e) for administrative purposes;
- (f) limited and judicious use of technology for personal use so long as the use is not unacceptable use or violation of School Board policy or the law, and work productivity is not impacted. Employees are to use technology for personal use during designated break time or before/after scheduled work hours;
- (g) limited and judicious use of technology for union business. Prior authorization is required from the Department of Human Resources or Superintendent.

Activities that are not permitted when using District or personal technologies include but are not limited to:

- (a) excessive personal use of technology. Personal use will be deemed excessive if, in

- the opinion of an employee's immediate supervisor, the use detracts from the individual employee's or the department's productivity;
- (b) communicating to promote personal business ventures (e.g., advertise, promote, or attempt to sell any product, investment, insurance, or other financial proposition) or solicit funds for personal business, political, religious, or other personal causes;
 - (c) communicating for illegal purposes including, but not limited to: political lobbying, violating copyright laws, downloading, copying, or using unauthorized software (including screensavers), creating or knowingly spreading viruses, impersonating another user, or accessing restricted systems;
 - (d) interfering with or disrupting network users, services, or equipment including, but not limited to: creating or forwarding chain letters, subscribing to any form of personal mailing list; damaging equipment, accessing a system (including using another user id and/or password) without authorization, altering software settings such operating system configurations (except for wallpaper, default colors, and other standard desktop customization settings), or destroying communications systems or electronic files;
 - (e) accessing or distributing any communication which may constitute or contain intimidating, hostile, pornographic, offensive or discriminatory material on the basis or sex, race, color, religion, nation origin, sexual orientation or disability;

(2) Social Media Networks

The District recognizes the importance of online social media networks as a communication and e-learning tool. Toward that end, the District provides access to password-protected social media tools and District-approved technologies for e-learning and encourages use of District tools for collaboration by employees. However, public social media networks, outside of those sponsored by the District, may not be used for classroom instruction or school-sponsored activities without the prior authorization of the Superintendent, or designee, and parental consent for student participation on social networks. The District may use these tools and other communication technologies in fulfilling its responsibility for effectively communicating with the general public.

The District recommends Google Apps as its password protected social medial tool for educational use. The District has greater authority and responsibility to protect minors from inappropriate content and can limit public access within this limited public forum.

All social networking must be conducted using district-approved and/or provided and password-protected social media tools and technologies for e-learning. The District prohibits social networking relationships on non-district approved networks between employees in their roles as employees and students as well as between employees and alumni under the age of 18. The District does not discourage staff from having social networking relationships with students who are family members. "Family members" include the immediate family of a staff member, spouse, or registered domestic partner and shall include father, mother, brother, sister, husband, wife, child, grandparent, aunt, uncle, niece, nephew, brother-in-law, sister-in-law, daughter-in-law, sister-in-law, and grandchild. Teachers are reminded of their responsibility to abide by the professional code of ethics at all times, including during the use of social networking sites. Employees have responsibility for maintaining appropriate employee-student relationships at all times and have responsibility for addressing inappropriate behavior or activity.

(3) Consequences of Misuse

- (a) Misuse of personal or District technology resources while on school property, in school vehicles and at school-sponsored activities, as well as the use of District technology

resources via off-campus remote access may result in disciplinary action up to and including termination.

- (b) Intentional unauthorized access and/or damage to networks, servers, user accounts, passwords, or other District resources may be punishable under local, state, or federal law.

C. Privacy and Security

Students and staff must use District technologies responsibly and in a secure manner. They must not share their logins, passwords, or access with others. By using technology, staff is agreeing to, and understands, it is their responsibility to protect employee and/or student information accessed through the Financial/Human Resources information system and/or student information system, and will not release the data to any unauthorized employees or outside agencies.

D. Reliability and Limitation of Liability

- (a) The Duluth Public Schools makes no warranties of any kind, expressed or implied, for the technology resources it provides to students and staff.
- (b) The Duluth Public Schools will not be responsible for any damages suffered by the student, including those arising from non-deliveries, mis-deliveries, service interruptions, unauthorized use, loss of data, and exposure to potentially harmful or inappropriate material or people. This applies to personal use of technology by students and staff.
- (c) Use of any information obtained via the Internet or communications technologies is at the student’s or staff’s own risk.
- (d) The Duluth Public Schools specifically denies any responsibility for the accuracy or quality of information obtained through the Internet.
- (e) The student and his/her parent/guardian will indemnify and hold the Duluth Public Schools harmless from any losses sustained as the result of misuse of the District’s technology resources by the student.

¹(Communication systems include e-mail, web social media, phones, pagers, text messaging, instant messaging, blogging, podcasting, listservs, and/or other emerging technologies).

²(Personal technologies include but are not limited to cell phones, digital and image devices, handheld electronic devices, two-way radios, and/or other emerging technologies).

References: MSBA/MASA Model Policy 524

Duluth School District Policy 5085 (School Discipline Policy)
 Duluth School District Policy 3090 (Copyright Policy)
 Duluth School District Policy 4025 (Standards of Conduct for Personnel)
 Duluth School District Policy ~~3187~~ 524 (Use Policy for Technology and Internet Access)
 Boulder (Colorado) School District Acceptable Internet Use Policy
 Henrico (Virginia) County Public Schools Acceptable Use Policy
 E-rate Central
 Children’s Internet Protection Act
 Protecting Children in the 21st Century Act

Adopted:	12-16-1997	ISD 709
Revised:	07-21-1998	11-20-2007
	09-21-1999	05-04-2010
	02-15-2000	09-20-2011
	06-19-2001	04-02-2012
	02-19-2002	05-24-2012

04-20-2004
06-12-2007
04-05-2021

06-19-2012
04-23-2013 ISD 709
Renumbered 4.27.21

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Policy Number/Link	Policy Title	Person Recommending Suspension	Reason for Suspension	Date Requested	Approve By Supt	Action
624	Online Learning Options	Assistant Superintendent	Current language in the policy is specific to the ALC and AEO with regard to hybrid scheduling and digital attendance	8/2020	xx	
503	Attendance	Dir Curr & Instruction	Not actually recommending suspension but would like to see a COVID-19 addition somehow. Attendance is defined in mde planning guide.	9/3/2020	xx	Regulation is on Policy Committee for revision 10/8/20
503R	Attendance Regulation	Dir Curr & Instruction	Updated regulation to new learning plan from Spring		xx	On Policy Committee for revision 10/8/20
Handbook Regulation	Grading	Dir Curr & Instruction	Updating to reflect "do no harm" provision in MDE guidance.	9/17/2020	xx	On Policy Committee for revision 10/8/20
513R	Acceleration	Dir Curr & Instruction	Acceleration is seen as an intervention within the MTSS framework. Due to Covid-19, students are not "in-person" for advanced interventions over and beyond the scope of the general curriculum	11/3/2020	xx	
808	Face Covering Policy	Superintendent	This policy has been updated by MSBA to reflect the new Governor's order	1/19/2021	xx	Policy has been updated and no longer requires suspension
613	Graduation Requirements	Director of Curriculum & Instruction	The request is to suspend the policy in instances where it could keep a student from graduating on time, it is not intended to allow for early graduation	3/4/2021	xx	