

## INTERNET SAFETY POLICY

- I. A. Although the Bainbridge-Guilford Central School District recognizes the value of the internet as an educational tool, it also understands that information with no redeeming social value is accessible through the internet.
- B.
  1. The Bainbridge-Guilford Central School District has developed and will enforce this Internet Safety Policy in compliance with the Children’s Internet Protection Act (CIPA) and the Neighborhood Children’s Internet Protection Act (NCIPA).
  2. In addition, the Bainbridge-Guilford Central School District maintains its “Purpose, Use and Administration of District Digital Information Systems” which governs the acceptable use of the Internet by students and employees.
- II. Access to the Internet using the District’s computer equipment is subject to the following restrictions:
  - A. **Filtering.** Filtering software will be used to block minors’ access to:
    1. visual depictions that are (a) obscene, (b) child pornography, or (c) harmful to minors;<sup>1</sup> and
    2. Internet sites which, in the Board’s determination, contain material which is “inappropriate for minors.” (See item B. below.)

Adult access to visual depictions that are obscene and/or child pornography will also be blocked. However, the Superintendent or his/her designee may disable the software to enable access to blocked sites for bona fide research or other lawful purposes.
  - B. **Matter Inappropriate for Minors.** The Board will (from time to time) determine by resolution what Internet material is “inappropriate for minors” in the District. This determination will be based on community standards.

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<sup>1</sup> The terms “obscene”, “child pornography”, “harmful to minors,” and “matter inappropriate for minors,” used throughout the policy, are defined in the Children’s Internet Protection Act and the Neighborhood Children’s Internet Protection Act (Public Law 106-554). See Appendix A.

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- C. **Safety of Minors When Using Direct Electronic Communications.**
1. In using the computer network and Internet, minors are not permitted to reveal personal information such as home addresses, telephone numbers, their real last names or any information which might allow someone they are communicating with online to locate them. No minor may arrange a face-to-face meeting with someone he/she “meets” on the computer network or Internet without his/her parent’s permission.
  2. Before utilizing any electronic communications (including but not limited to electronic mail and “chat rooms”) in any instructional setting, students will be taught that they must disclose to their teacher any message they receive that is inappropriate or makes them feel uncomfortable. They must also be taught that they must never agree to meet with someone they have met online without their parent’s approval.
- D. **Unauthorized Access and Other Unlawful Activities.** It is a violation of this Policy to:
- a. use the District’s computer network or the Internet to gain unauthorized access to other computers or computer systems, or to attempt to gain such unauthorized access;
  - b. damage, disable or otherwise interfere with the operation of computers, computer systems, software or related equipment through physical action or by electronic means; and/or
  - c. violate state or federal law relating to copyright, trade secrets, the distribution of obscene or pornographic materials, or any other applicable law or municipal ordinance.
- E. **Unauthorized Disclosure and Dissemination of Personal Identification Information Regarding Minors.** Personally identifiable information concerning minors may not be disclosed or used in any way on the Internet (e.g., on the District’s web page or otherwise) without the permission of a parent or guardian. If a student is 18 or over, the permission may also come from the student himself/herself.
- III. **Regulations and Dissemination.** The Superintendent is authorized to develop and implement regulations consistent with this policy. The Superintendent will also be responsible for disseminating the policy and associated regulations to school personnel and students.

INTERNET SAFETY POLICY**Appendix A**

Generally speaking, “**obscenity**” is defined as any work that an average person (applying contemporary community standards) would find, taken as a whole, appeals to a prurient interest. The work also must depict or describe, in a patently offensive way, sexual conduct as specifically defined in state law. Moreover, the work, taken as a whole, has to lack serious literary, artistic, political or scientific value (See 18 U.S.C. §1460 and the cases interpreting that statute.)

“**Child pornography**” is defined as:

...any visual depiction, including a photograph, film, video, picture, or computer or computer-generated image or picture, whether made or produced by electronic, mechanical or other means, of sexually explicit conduct, where (a) the production of visual depiction involves the use of a minor [someone under the age of 18] engaging in sexually explicit conduct; (b) such visual depiction is or appears to be, of a minor engaging in sexually explicit conduct; (c) such visual depiction has been created, adapted, or modified to appear that an identifiable minor is engaging in sexually explicit conduct; or (d) such visual depiction is advertised, promoted, presented, described or distributed in such manner that conveys the impression that the material is or contains a visual depiction of a minor engaging in sexually explicit conduct. (18 U.S.C. §2256[8]).

The phrase “**harmful to minors**” is defined as:

... any picture, image, graphic image, file, or other visual depiction that (a) taken as whole and with respect to minors [defined here as anyone under the age of 17], appeals to a prurient interest in nudity, sex or excretion; (b) depicts, describes, or presents, 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. (Public Law 106-554, §1703{b}{2}.)

The phrase “**matter/material inappropriate for minors**” must be defined by a determination by the Board applying local community standards. (Public Law 106-554, §1732[1][2].)

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Bainbridge-Guilford School District

Legal Ref: The Children’s Internet Protection Act (CIPA); The Neighborhood Children’s Internet Protection Act (NCIPA) (Public Law 106-554)

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