

## **MORGAN HILL UNIFIED SCHOOL DISTRICT COMPUTER SYSTEM/INTERNET/E-MAIL ACCEPTABLE USE AGREEMENT**

Persons wishing to use the Morgan Hill Unified School District's computer system are required to read this Acceptable Use Agreement and agree to abide by its terms by signing the Agreement. Signed Agreements must be completed and returned to the applicable school site or work site at the beginning of each school year and/or when the user first starts using the computer system.

### **INTRODUCTION**

The Morgan Hill Unified School District provides technology resources to its students and staff in furtherance of its educational and business purposes. It is the District's goal to promote educational excellence in the District's schools by providing technological resources, facilitating innovation, and improving communications with the support and supervision of parents, teachers, and staff. The use of these technology resources is a privilege, not a right.

Access to computers and people all over the world through the District's Computer System entails potential access to material that may not be considered to be of educational value in the context of a school setting. The District believes that the value of the information, interaction, and research capabilities available through computer technology outweighs the possibility that users may obtain material that is not consistent with the educational goals of the District.

Proper behavior, as it relates to the use of computers, is no different than proper behavior in all other aspects of School District activities. All users are expected to use the District's Computer System in a responsible, ethical, and polite manner. Parents are strongly encouraged to be involved in their children's computer use and to guide them in ethical and proper use. This document is intended to clarify the terms and conditions of access to the Computer System and expectations as to its proper use.

### **TERMS AND CONDITIONS**

#### **1. COMPLIANCE WITH EXISTING LAWS, REGULATIONS AND POLICIES**

The Morgan Hill Unified School District's computer system is to be used for purposes consistent with the District's business and educational processes. All persons using the Computer System shall comply with all applicable laws and District policies including, without limitation, laws and polices regarding freedom of speech, profanity, obscenity, privacy, copyright, and misuse of computers generally. Persons using the Computer System are required to comply with student and employee conduct requirements generally as well as with the provisions of this Agreement. Users shall report any security problem or misuse of the network to the Superintendent or designee.

#### **2. DEFINITIONS**

**2.1 District Computer System.** All hardware, software, operating systems, data, data storage media, networks and related devices, and data transmission and communications equipment and services (including internet access and e-mail).

2.2 **User Area.** A user area is comprised of that portion of the District Computer System reserved for the personal use of an individual user including, but not limited to, user data files, programs, dynamic system work areas, or any other storage or processing resources dedicated to the user.

### 3. COMPUTER SYSTEM ACCESS AND USE

3.1 **Student Email.** The Morgan Hill Unified School District does not provide email accounts for student use nor does it condone the use of personal email accounts on district property.

3.2 **System Etiquette.** Users are expected to be courteous while using the Computer System. Users shall not send or display material that is obscene, rude, offensive, or hate-based, or that could be construed as harassing to others based on their race, national origin, gender, sexual orientation, age, disability, religion, political belief or other protected characteristic.

3.3 **Messages.** Users should not indiscriminately address messages to broad audiences. Message addressing should be narrowly tailored to the purpose at hand. Messages should only be sent to known recipients or locations. Messages or other materials should not be sent with misleading titles.

3.4 **System Modifications.** Users may not modify or alter the Computer System in any way except under the express direction of the District's System Administrator. Modification and alteration of the Computer System does not include ordinary operations involving saving and deleting user-generated files created in furtherance of District business or educational purposes.

3.5 **Disclosure of Personal Information.** Disclosure of users' own or others' home address or telephone number information on the Computer System is prohibited.

3.6 **Privacy/Computer System Monitoring.** User information, data, and communications, including e-mails, transmitted over the Computer System or contained in any part thereof is not private or subject to privacy protections. The District reserves and shall have the right to monitor all aspects of the District Computer System, including user information, data, communications, and e-mails, for the purpose of ensuring system integrity and security, preventing system abuse, maintaining the system, and furthering legitimate educational purposes.

3.7 **Student Images, Names, and Identifying Information.** Student pictures can be displayed on the web with verification that the parent /guardian did not return the permission slip form denying access. Student pictures must be identified by first name only unless additional specific written permission is obtained from the parent.

3.8 **Downloads/Scanned Materials.** Approval must be obtained from the System Administrator and the supervising teacher prior to downloading or scanning any materials into the Computer System.

3.9 **Passwords And System Security.** Users are personally responsible for keeping their passwords secure, complying with system security measures, and intentional or negligent harm they may cause to the Computer System. Sharing passwords or using the Computer System under another user's password or account number is prohibited.

3.10 **Obscene/Inappropriate Materials.** Users may not access or store obscene or other inappropriate materials on the Computer System. The District reserves the right to limit the content of information accessed or stored on the Computer System for legitimate pedagogical purposes.

#### 4. PERMITTED USE

The Computer System may only be used in furtherance and support of the District's educational and business goals and purposes.

#### 5. PROHIBITED USE

5.1 **Illegal Use.** Users may not process, transmit, download, or publish any material in violation of any local, State, or Federal law, including, but not limited to, the following:

- a. Maliciously accessing, altering, deleting, damaging, or destroying any part of the Computer System.
- b. Moving another user's accounts, changing another user's passwords, or using unauthorized accounts.
- c. Using the Computer System to make money illegally or for illegal purposes.
- d. Intentionally disrupting the Computer System.
- e. Causing damage to the Computer System.
- f. Using the Computer System or materials contained therein in violation of copyright, trade secret, or libel laws, or for any other illegal purpose.
- g. Fraudulent conduct, including credit card fraud or electronic forgery.

5.2 **Viruses and Hacking.** Users may not upload, transmit, download, or participate in any manner in the creation, promulgation, publication or use of computer viruses or any other harmful computer programs. Users may not engage in any form of "hacking" while using the Computer System. Hacking includes, but is not limited to, gaining or attempting to gain unauthorized access to computer systems and/or viewing, copying, downloading, or altering the computer programs, operating systems, data files, and any other materials contained therein. Use of viruses and hacking will result in denial of access to the Computer System and may result in further discipline as discussed in Section 9 below.

5.3 **Private Security Measures.** Users may not use any passwords, recognition codes, security access devices or methods, data encryption, or physical locking devices such as locks on any part of the Computer System without the District's prior express written consent. Users must inform the District's System Administrator in writing of all security measures they wish to use and provide keys, passwords, access codes, encryption keys, and/or other security information or

materials to permit the District to obtain access to their secured areas prior to using such security devices. Permission to use such measures is revocable at any time at the District's sole discretion.

**5.4 Private Financial Gain/Business.** The Computer System may not be used for private financial gain or to operate a private business enterprise.

**5.5 Use Of District Names and Symbols.** Users may not use the District's name, the name of District school sites or other facilities, or District or school logos or symbols outside of the Computer System in a manner that creates the false impression that such use is sanctioned by the District. The District reserves the right to control the unauthorized use of its name, symbols, logos, or any other proprietary materials to the extent permitted by law.

## **6. INTERNET USE**

**6.1 World Wide Web Sites.** All World Wide Web ("web") sites that users wish to place on the Computer System are subject to prior approval by the site administrator or System Administrator. The System Administrator shall review and approve inclusion of links to any other sites included in a web site on the Computer System. All Web pages created by students and student organizations on the Computer System will be subject to treatment as District-sponsored publications. The District reserves the right to exercise editorial control over such publications. Web sites the District permits to exist on the Computer System are not to be deemed or operated as open forums.

**6.2 Web Access Information.** The District reserves the right to access user areas containing "cookies," web browser site access trails, or other web access information and modify or delete such items in the interests of system security, maintenance, integrity and legitimate educational purposes.

**6.3 Chat Rooms.** Users may not access chat rooms through the Computer System unless prior approval is obtained from the System Administrator or supervising teacher.

**6.4 Term Paper/Course Work Sites.** Accessing web sites or other sources to obtain third-party term papers or course work that is to be passed off as the user's own work is prohibited.

**6.5 Use of Credit Cards & Financial Information.** Users may not provide personal credit card or financial information of any type or conduct financial transactions over the Computer System without the prior approval of the System Administrator or supervising teacher. The District is not responsible for unauthorized costs incurred through use of the Computer System.

## **7. DISCLAIMER**

The District assumes no liability, either express or implied, arising out of providing Computer System access to users. The District shall not be responsible for any damages suffered by users as a result of using the Computer System, including, but not limited to, damages suffered as the result of the user's own negligence, system delays, service interruptions, nondelivery or misdelivery of data, or the acts of other users. Use of the Computer System and information obtained therefrom is solely at the user's risk. The District makes no representation as to the content, accuracy, or veracity of any information on or obtained from the Computer System. The District disclaims any responsibility for the accuracy

of information contained in or obtained from Internet service providers, or web sites, or other sources outside the Computer System.

## **8. HOLD HARMLESS**

The user and the user's parent or guardian agree to release and hold harmless the District and its officers, board members, employees and agents, from and against any and all liability, loss, expense, or claim for injury or damages user may have arising out of use of the Computer System.

## **9. CONSEQUENCES OF IMPROPER USE**

**9.1 Discipline And/Or Loss Of Use Privileges.** Use of the Computer System is a privilege, not a right. Users who engage in the prohibited activities set forth in Section 5, or who use the Computer System in such a way as to violate District rules and regulations, may be subject to appropriate discipline including loss of Computer System use privileges, suspension, expulsion, and/or dismissal.

**9.2 Procedural Rights.** Users accused of violation of this Acceptable Use Agreement shall have the same rights, privileges, and disciplinary procedures to which they are entitled for infractions not related to Computer System use.

**MORGAN HILL UNIFIED SCHOOL DISTRICT  
COMPUTER SYSTEM/INTERNET/E-MAIL ACCEPTABLE USE AGREEMENT  
SIGNATURE FORM**

**STUDENT**

I have read and understand the Morgan Hill Unified School District's Computer System/Internet/e-mail Acceptable Use Agreement. I will only use the Morgan Hill Unified School District's Computer System as authorized by that Agreement and as directed by a supervising adult. I hereby give the District permission to access my user files, and user area.

Student's Name (please print): \_\_\_\_\_

Dated: \_\_\_\_\_ Signature: \_\_\_\_\_

**PARENT OR GUARDIAN**

I am the parent or legal guardian of \_\_\_\_\_. I have read and understand the Morgan Hill Unified School District's Computer System/Internet/e-mail Acceptable Use Agreement. I agree to comply with the terms and conditions of that policy and to make every effort to ensure that my child or ward also will comply with that agreement. I authorize my child or ward to use the District's Computer System.

I understand that it is impossible for the District to control and restrict access to all controversial or inappropriate materials, which may be accessible through the Computer System. I agree to hold the District and its officers, agents, and employees harmless in the event my child obtains access to controversial or inappropriate materials while using the Computer System. In consideration for the privilege of my child or ward using the District's Computer System and being provided access to the Internet, I hereby release and hold harmless the Morgan Hill Unified School District its officers, board members, employees and agents, and any entity affiliated with the District, from and against any and all liability, loss, expense, or claim for injury or damages that I or my child or ward may incur arising out of use of the District's Computer System.

Parent or Guardian's Name (please print): \_\_\_\_\_

Dated: \_\_\_\_\_ Signature: \_\_\_\_\_

I **do not authorize** my child or ward \_\_\_\_\_ to use the Morgan Hill Unified School District's Computer System.

Parent or Guardian's Name (please print): \_\_\_\_\_

Dated: \_\_\_\_\_ Signature: \_\_\_\_\_

**EMPLOYEE**

I have read and understand the Morgan Hill Unified School District's Computer System/Internet/e-mail Acceptable Use Agreement. I will only use the Morgan Hill Unified School District's Computer System as authorized by that Agreement. I hereby give the District permission to access my e-mail messages, user files, and user area.

Employee's Name (please print): \_\_\_\_\_

Dated: \_\_\_\_\_ Signature: \_\_\_\_\_