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EDET 746, Fall 2011
Policies and Procedures
September 14, 2011

Computer Use and Copyright Policies and Regulations

Evaluation of Policies: Acceptable Use

Colleton County School District (CCSD) and Orangeburg 5 Consolidated School District (O5SD) both publish their computer usage, or acceptable use, policies online. These policies are also distributed in written form and are required to be signed prior to an employee or student using computers or other devices managed by the respective districts. These policies are designed to communicate appropriate use of technological devices, identify and prohibit inappropriate use, and legally protect the districts in case of inappropriate use by staff members. Each district has a separate policy for students and/or parent use of networks and devices that is printed and distributed each year.

Due to the nature of a school district, users subject to the Acceptable Use Policies (AUPs) are diverse in their backgrounds, experience, exposure to technology, and abilities. Neither the CCSD nor O5SD policies explicitly reference policies for devices used by people with disabilities or provide policies in Braille or audio formats.

Both policies begin by recognizing the benefits of access to and use of technology in education and work and that such access is a privilege extended to personnel for the benefit of the districts' missions. Both policies are much less detailed than policies available through research online and take an instructional rather than a dictatorial or purely legal language approach. This simplicity may be a reflection of the type of organization or the size of the districts, which are small, with fewer than fifteen schools in each district. Both districts have large rural and agriculturally based populations with limited fiscal and infrastructural resources. Additionally both policies address use of the internet, computers, and social behavior as well as legal repercussions.

The CCSD AUP is one page long, much shorter than the O5SD AUP and contains what is essentially a summary of the policy at the beginning of the document, listing appropriate and inappropriate behaviors, responsibilities, and consequences within the first third of the document. For example:

Employees will not engage in the following activities while using Networked Information Resources including the Internet:

- Accessing Proxy servers (those web sites designed to bypass the district's web filter).
- Sending, displaying, or requesting offensive messages or pictures.
- Using obscene language. Harassing, insulting, or attacking others.
- Damaging or vandalizing computers, computer systems, or computer networks.
- Violate copyright laws.
- Using others' passwords. Trespassing in others' folders, work, or files.
- Intentionally wasting limited resources.
- Employing the network for commercial purposes.

- Purchasing anything which obligates the school to another party without prior approval (CCSD, 2008, p. 2).

Orangeburg's policy is much more conversational in tone and leaves specific behavior requirements until much later in the document, focusing instead on the purpose of the document for more than a page, consisting of seven paragraphs. Therefore the Colleton County document, which contains much of the same information, is more useful for distribution purposes and is more likely to be read and understood by employees, students, and community members.

Another difference between the two policies is that the CCSD policy includes a contractual statement and requires a signature, whereas the policy from Orangeburg uses a separate document for that purpose. The Colleton County policy and AUP are the same document.

When compared with guidelines and suggestions made available through the Unified Technology Suite's sample AUP (IES, 2005, Appendix A) and Conn's Internet and the Law: What Educators Need to Know (2002), both documents are simplistic and do not fully address current technology. However, it is important to note both policies do address most common hardware and software in use within the districts. Additional guidelines for supervisors and principals may be available, but are not published to the public. Moreover, no information is given on how to apply to newer or broader technologies or request modifications to the policies. Overall both policies seem to be tailored to the district's goals and priorities and useful, at least in the short term. However both policies would benefit from reevaluation in light of changing technology and alignment with a district strategic and/or technology plan.

Evaluation of Policies: Copyright

Suring, WI and Greenville, SC School Districts provide district-wide copyright policies online. While Greenville, SC is much larger than Suring, containing more schools and employees, the length and import of the copyright policies is similar. Both policies summarize the meaning and purpose of copyright and explicitly address use of computer software, including personally purchased software, shareware, and freeware. However, Greenville, being much larger than Suring's three schools, does not relegate most authority and responsibility to one individual, as Suring does. Greenville also directly addresses use of information and images from websites and gives principals and supervisors the authority and responsibility to enact copyright policies and procedures to fit the use of each school.

Suring's policy document is essentially a list of do's and do not's that can be easily distributed and adhered to, where as Greenville's policies are much more flexible and establish law and principles for development over time. Given the differences in size and resourced between the two districts each policy and format seems reasonable, if not particularly comprehensive.

Creation of Policies

Please see Appendix A for Acceptable Use Policy.

Please see Appendix B for Copyright Policy.

Justification of Policies

"A necessary first step in embracing technological changes in education is the development of an Internet Acceptable Use Policy" (Perks, D.J., Gavitt, D.R., Olivo, J. J., 1997, abstract p.1). The Acceptable Use Policy in Appendix A and the Copyright

Policy in Appendix B are both adapted from existing published policy documents, meaning that both have been “field tested”. The AUP is adapted from the Colleton County School District’s Acceptable Use Policy. The Copyright Policy is adapted from the Greenville School District’s Copyright Policy.

Adaptations to the AUP and Copyright policies were necessary because the policies had to be rewritten to address use in a small three-person office, but still adhere to the overall district policies, where such policies existed. In the case of Colleton County School District (CCSD) there is no explicit published copyright policy, and each school manages copyright policy and training through the media center.

Additionally, the Title I Office engages in social networking and has media devices and programs used to meet federal legislative requirements to which other offices and schools within the district are not subject. Therefore the social networking and mobile media device sections of the attached policies are completely unique and developed for use within the Title I Office.

Based on suggestions from research, my policies have the following goals:

- Provide clear guidelines as well as a principle for behavior
- Include legal, professional, and social restrictions and guidelines
- Provide flexibility and common sense standards and consequences
- Incorporate technology in a manner consistent with organizational goals

Several sources support the goals listed above. For example, in 2003, Podolsky stated, “Do not try to define every single thing that is allowable or not allowable. Allow some room for user discretion and a “code of honor.” Consider the organization’s mission, vision, and culture when developing the AUP; make sure it is in line with the spirit of how your organization operates (p. 191-192).

Moreover, in our office we use the internet extensively for research, communication, staff development, and purchasing, in addition to several technological devices that could be abused, but which also increase productivity; there is research that looks at this issue as well. “PWU [Personal Web Use] can be a way to manage an increasingly blended work and personal life. PWU permits the accomplishment of personal tasks that have been displaced as work demands spread out beyond the traditional eight-hour day, five-day-a-week work schedule. Finally, PWU could contribute to the continuous learning that all employees are being called to as 21st century ‘knowledge workers’” (Anandarajan and Simmers, 2004, p. 3). Because the overwhelming use of personal devices and the internet within the Title I Office is productive and necessary, the attached policies do not prohibit these activities as some published policies do. As a predominately female workforce, having some non-profit personal use of communication devices is consistent with creating and maintaining a work-home life balance and retaining talent, especially with working, nursing, mothers.

The copyright policy is adapted from the Greenville policy, but contains personal copyright provisions, explicit recognition of Fair Use, and additional resources to enable users to determine appropriate applications of Fair Use and better understand Copyright Law. There is also a certification statement at the end of the policy which reinforces personal responsibility. Despite recommendations from all of the listed references the suggest that any policy have “prospective mechanisms to deal with students or staff who sign AUPs and then misuse the district’s technology resources,” I have chosen to

use the district's standard language since the district's policy supersedes local site policies if an explicit district policy exists (Conn, 2002, p. 53).

Given the self-imposed restriction to create a set of policies that could actually be used in the Title I Office without conflicting with existing district policies, I believe the documents I have designed improve upon existing policies and support practical use of current and prospective technology and resources in a responsible manner. The policies are not overly strict or detailed and can be fairly and universally applied within the office without undue hardship. The policies respect the diversity and needs of the existing users, and if posted on our website, would also be translated into Spanish or available in an audio or video production as well.

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Appendix A: Computer Usage Policy for the Colleton County School District Title I Office

Adapted from the Colleton County School District Acceptable Use Policy for Employees.

Employees are encouraged to use telecommunications to explore educational topics, conduct research and communicate with others in a professional capacity. Access to Networked Information Resources (file servers, e-mail, the Internet, computers, software, etc.) is a privilege extended to employees for educational purposes. The Colleton County School District requires that each employee sign this form prior to using any Networked Information Resources.

Employees will not engage in the following activities while using Networked Information Resources including the Internet:

- Accessing Proxy servers (those web sites designed to bypass the district's web filter).
- Sending, displaying, or requesting offensive messages or pictures.
- Using obscene language. Harassing, insulting, or attacking others.
- Damaging or vandalizing computers, computer systems, or computer networks.
- Violate copyright laws.
- Using others' passwords. Trespassing in others' folders, work, or files.
- Intentionally wasting limited resources.
- Employing the network for commercial purposes.
- Purchasing anything which obligates the school to another party without prior approval.

Staff is required to immediately report any of the above violations by staff or students to the building administrator. Sanctions may include loss of access to computers, disciplinary action consistent with School Board Policies, and/or notification of law enforcement agencies when criminal conduct is suspected.

Network/Internet--Terms and Conditions of Use

Acceptable Use - Access to computer systems and networks owned or operated by the Colleton County School District imposes certain responsibilities and obligations on users and is subject to Colleton County School District policies and local, state, and federal laws. The district reserves the right to use staff pictures and school contact information of individual staff members on the district/school web site.

Privileges - The use of the networks and their resources is a privilege, not a right, and inappropriate use may result in the severe restriction of privileges. The district Technology Center will deem what is inappropriate use and their decision is final. The contents of any material created in conjunction with the use of this network should not interfere with educational purposes and may be reviewed by district staff members responsible for the network.

Warranty - The Colleton County School District makes no warranties of any kind, whether expressed or implied, for the service it is providing. The Colleton County School District will not be responsible for any damages you suffer. This includes loss of data resulting from delays, non-deliveries, misdirected deliveries, or service interruptions obtained via the Internet is at your own risk. The Colleton County School District specifically denies any responsibility for the accuracy or quality of information obtained through its services.

User Privacy - The Colleton County School District reserves the right to examine, restrict, or remove any material that is on district property or passes through the district's network, just as it does any other work or material generated or brought to school by staff members. Access to electronic information related to any student or staff member will be governed by the same policies that would apply to that information if it were not in electronic form. The district's Technology Center as well as the South Carolina CIO office will scan and monitor all network/Internet traffic. The Technology Center is required to block any network traffic on the network it deems as inappropriate.

Staff Created Materials - Staff created materials located on district equipment will become and remain district property.

Social Networking – Social networking sites will be made available to staff members solely for the purpose of professionally or legislatively mandated communication with other staff members, parents, and students. This includes, but is not limited to announcements, notices, and links to documents, surveys, and district websites. No staff member or employee of the Colleton County School District may use social networking sites, including but not limited to: Facebook, Twitter, Tweetdeck, Edmodo, Vimeo, YouTube, MySpace, LinkedIn, or Google products for personal use or communication during school hours. Neither may any employee participate in activities for personal commercial gain, lewd acts, or any acts currently prohibited by any other school district policy, or any act prohibited in future by board approved policies.

Wireless devices – No employee shall utilize CCSD wireless networks for personal use or gain, or to create access for non-authorized personnel, students, or community members. Use of personal devices, such as iPad, iPod, iPhone, smart phones, cell phones with web apps or online access including Wi-Fi access point technology, laptops, notebooks, tablets, Nintendo DS, or any other personal handheld device with networking, wireless, or communication capabilities for personal purposes or personal gain is prohibited during school or work hours within district facilities and on school grounds. Use of these devices during the school or work day is permitted for emergency communications, i.e. calling 911 emergency services, during an emergency situation, i.e. fire, fight, injury or for pre-approved business and instructional purposes i.e. job training, technology training, district approved communication, district or office events.

Certification - I have read, understand, and will abide by the Colleton County School District Title I Office Acceptable Use Policy. I further understand that any violation of this policy is unethical and may constitute a criminal offense. Should I commit any violation, my access privileges may be revoked and I may be subject to other disciplinary actions prescribed by law or School Board Policy. I understand that the district's web filter can

NOT block all unacceptable Internet traffic and because of this fact it is my responsibility to monitor my use of the Networked Information Resources AT ALL TIMES and that I am responsible for my conduct on computers during these times.

Employee's Full Name (please print) _____

Date: _____

Employee's Signature: _____ (this form must be on file at the employee's work site)

This form MUST be signed each year and turned into the school/site's main office.

Appendix B: Copyright Policy for the Colleton County School District Title I Office

Adapted from the Greenville County School District Copyright Policy

Copyright Guidelines

Employees and students of the Colleton County School District Title I Office are subject to the provisions of the Copyright Act of 1976. Teachers, administrators, media specialists, and other District personnel take an active role in assuring compliance with the United States copyright law and congressional guidelines. US copyright laws protect most creative works. Examples of creative works include books, computer software, music, and films. Many uses of copyrighted materials by school district personnel may be covered under Fair Use laws, it is the sole responsibility of the individual to understand and make proper and appropriate application of Fair Use laws.

The District does not sanction illegal use or duplication of copyrighted materials in any form. Unlawful copies may not be produced or used on District equipment, within District facilities, or at District-sponsored functions. Employees or students who knowingly and/or willingly violate the District's copyright policies do so at their own risk and may be required to reimburse the District for expenses incurred as the result of a violation.

Principals or administrators are responsible for establishing procedures to ensure that offices and schools adhere to copyright law. These procedures should include informing students and staff members of District copyright policy, and periodically reminding them of their rights and responsibilities. All school sites and work locations must keep a copy of their computer software site license agreements on file.

Computer Software

All software is protected under copyright law. The School District of Greenville County has purchased licensed copies of computer software. Unless otherwise provided in the software license, duplication of copyrighted software is a violation of applicable law and this policy. If you become aware of the use or distribution of unauthorized software in this District, notify your Principal, Supervisor, or Educational Technology Services.

The purchase of computer software does not mean that you own the copyright. Rather, you are purchasing the right to use the software under certain restrictions imposed by the copyright owner, typically the software publisher. The precise rules are described in the software license. You must adhere to these rules. If you copy, distribute, or install the software in ways that the license prohibits, you are violating federal copyright law. If you assist someone else in making unauthorized copies, you are also liable under the copyright law. Also, most recorded music available on Internet sites is protected by copyright. Downloading this material violates the District copyright policy.

Further, computer software installed on District machines is under license for that machine only. Making copies of this software for repeat installation on home or private

computers violates the law and this District policy. Some software licensing does include the right for a duplicate installation on a teacher's home computer. Check with your school Principal or designated technology leader for details on software installed on your school computers.

Any personally owned software loaded on District computers must meet copyright laws. Owners must provide license documentation for personally owned software. Unauthorized software threatens the integrity and security of the computers and networks.

Internet Copyright

Some computer software is available via the Internet. Download of copyrighted software without a license is prohibited just as unauthorized copying of CD-ROM programs mentioned above. Some software programs are available free to the public. These are referred to as "freeware." Other software may be downloaded and used for a set period of time. These programs are referred to as "shareware" or "demos." Software with a trial period may be purchased online at the end of the trial period. While download of such programs is not a violation of this policy or the law, users must obtain prior written approval of the network administrator prior to download and installation.

Copyright law protects all Websites unless stated otherwise on the site. This includes sites that do not include a copyright symbol. Duplicating a World Wide Website, or portion of a site, is prohibited without the explicit permission of the author. Pictures or text may not be used without the permission of the copyright owner.

Personal Copyright

Staff created materials located on district equipment will become and remain district property. However, items created for public use on behalf of the district or in accordance with state or federal law may be donated to the public domain and/or the creative commons.

Please review related information:

Government Guide to Software Management

<http://www.bsa.org/usa/freetools/governments/ggsm.pdf>

Software Piracy and the US Law <http://www.bsa.org/resources/2001-05-23.57.pdf>

Reproduction of Copyrighted Works by Educators and Librarians

<http://www.copyright.gov/circs/circ21.pdf>

U.S. Copyright Office Fair Use Information <http://www.copyright.gov/fls/fl102.html>

Certification: I have read, understand, and will abide by the Colleton County School District Title I Office Copyright Policy. I further understand that any violation of this policy is unethical and may constitute a criminal offense. Should I commit any violation, my access privileges may be revoked and I may be subject to other disciplinary actions prescribed by law or School Board Policy.

Employee's Full Name (please print) _____

Date: _____

Employee's Signature: _____ (this form must be on file at the employee's work site)

This form MUST be signed each year and turned into the school/site's main office.