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| <p>18 Pa. C.S.A. Sec. 6312</p> | <p>2. Such visual depiction is a digital image, computer image, or computer-generated image that is, or is indistinguishable from, that of a minor engaging in sexually explicit conduct; or</p> <p>3. Such visual depiction has been created, adapted, or modified to appear that an identifiable minor is engaging in sexually explicit conduct.</p> <p>Under state law, is any book, magazine, pamphlet, slide, photograph, film, videotape, computer depiction or other material depicting a child under the age of eighteen (18) years engaging in a prohibited sexual act or in the simulation of such act.</p> <p>Computer(s) shall mean desktops, laptops, workstations, servers, PDAs, mobile devices, telephones, tablets, or any other technology device of a similar nature that is owned, leased, or licensed by or to the school.</p> <p>Harmful to minors - The term harmful to minors is defined under both federal and state law.</p> |
| <p>20 U.S.C. Sec. 6777 47 U.S.C. Sec. 254</p> | <p>Under federal law, is any picture, image, graphic image file or other visual depiction that:</p> <ol style="list-style-type: none"> 1. Taken as a whole, with respect to minors, appeals to a prurient interest in nudity, sex or excretion; 2. 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 lewd exhibition of the genitals; and 3. Taken as a whole lacks serious literary, artistic, political or scientific value as to minors. |
| <p>18 Pa. C.S.A. Sec. 5903</p> | <p>Under state law, is any depiction or representation in whatever form, of nudity, sexual conduct, sexual excitement, or sadomasochistic abuse, when it:</p> <ol style="list-style-type: none"> 1. Predominantly appeals to the prurient, shameful, or morbid interest of minors; 2. Is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable for minors; and 3. Taken as a whole lacks serious literary, artistic, political, educational or scientific value for minors. |

18 Pa. C.S.A.
Sec. 5903

Obscene - any material or performance, if:

1. The average person applying contemporary community standards would find that the subject matter taken as a whole appeals to the prurient interest;
2. The subject matter depicts or describes in a patently offensive way, sexual conduct described in the law to be obscene; and
3. The subject matter, taken as a whole, lacks serious literary, artistic, political, educational or scientific value.

Technology - all forms of technology that is provided directly or indirectly by the school to its users, and that is: (i) owned, leased, or licensed to the school; or (ii) that is accessed by or through technology that is owned, leased, or licensed to the school.

Technology includes, but is not limited to:

- computers,
- copiers,
- printers,
- scanners,
- electronic portable devices,
- electronic peripheral devices,
- servers,
- networks,
- programs/applications,
- software,
- files,
- folders,
- data and records of any nature,
- the Internet,
- cell phones,
- mobile devices,
- pagers,
- PDAs,
- modems,
- voicemail,
- email,
- chat rooms,
- blogs,
- instant messages,
- videoconferencing,
- user group and such similar technologies.

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| <p>47 U.S.C. Sec. 254</p> <p>3. Authority</p> <p>47 U.S.C. Sec. 254</p> <p>SC 4601 et seq</p> <p>4. Delegation of Responsibility</p> | <p>Technology protection measure - a specific technology that blocks or filters Internet access to visual depictions that are obscene, child pornography or harmful to minors.</p> <p>Users - employees, students, contracted employees, and/or contractors.</p> <p>User ID and/or Password - the combination of identification numbers, characters, or letters that is unique and that is assigned to an individual user to access computer devices or applications.</p> <p>Vandalism - any malicious attempt to harm or destroy data of another user, Internet or other networks; this includes but is not limited to uploading or creating computer viruses.</p> <p>The electronic information available to students and staff does not imply endorsement of the content by the school, nor does the school guarantee the accuracy of information received on the Internet. The school shall not be responsible for any information that may be lost, damaged or unavailable when using the network or for any information that is retrieved via the Internet.</p> <p>The school shall not be responsible for any unauthorized charges or fees resulting from access to the Internet.</p> <p>The school reserves the right to log network use and to monitor fileserver space utilization by users.</p> <p>The Joint Operating Committee establishes that use of the Internet is a privilege, not a right; inappropriate, unauthorized and illegal use will result in cancellation of those privileges and appropriate disciplinary action.</p> <p>The Joint Operating Committee shall establish a list of materials, in addition to those stated in law, that are inappropriate for access by minors.</p> <p>The Joint Operating Committee shall designate an online server that blocks access to visual depictions of obscenity, child pornography, or material harmful to minors.</p> <p>The school shall make every effort to ensure that this educational resource is used responsibly by students and staff.</p> |
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| <p>20 U.S.C. Sec. 6777 47 U.S.C. Sec. 254 47 CFR Sec. 54.520</p> <p>47 U.S.C. Sec. 254</p> <p>SC 1303.1-A Pol. 249</p> <p>SC 4601 et seq</p> <p>5. Guidelines</p> | <p>Administrators, teachers and other staff have a professional responsibility to work together to help students develop the intellectual skills necessary to discriminate among information sources, to identify information appropriate to their age and developmental levels, and to evaluate and use the information to meet their educational goals.</p> <p>Students and staff have the responsibility to respect and protect the rights of every other user in the school and on the Internet.</p> <p>The building administrator shall have the authority to determine what is inappropriate use.</p> <p>The Executive Director or designee shall be responsible for implementing technology and procedures to determine whether the school's computers are being used for purposes prohibited by law or for accessing sexually explicit materials. The procedure shall include but not be limited to:</p> <ol style="list-style-type: none"> 1. Utilizing a technology protection measure that blocks or filters Internet access for minors and adults to certain visual depictions that are obscene, child pornography, harmful to minors with respect to use by minors, or determined inappropriate for use by minors by the Joint Operating Committee. 2. Maintaining and securing a usage log. 3. Monitoring online activities of minors/users. <p>The Executive Director or designee shall develop and implement administrative regulations that ensure students are educated on network etiquette and other appropriate online behavior, including but not limited to:</p> <ol style="list-style-type: none"> 1. Interaction with other individuals on social networking web sites and in chat rooms. 2. Cyberbullying awareness and response. <p>The school shall provide a copy of this policy to parents/guardians, upon written request.</p> <p>Network accounts shall be used only by the authorized owner of the account for its authorized purpose. All communications and information accessible via the network should be assumed to be private property of the school and shall not be disclosed. Network users shall respect the privacy of other users on the system.</p> |
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| <p>Pol. 814</p> | <p><u>Prohibitions</u></p> <p>Students and staff are expected to act in a responsible, ethical and legal manner in accordance with Joint Operating Committee policy, accepted rules of network etiquette, and federal and state law. Specifically, the following uses are prohibited:</p> <ol style="list-style-type: none">1. Facilitating illegal activity.2. Commercial or for-profit purposes.3. Non-work or non-school related work.4. Product advertisement or political lobbying.5. Hate mail, discriminatory remarks, and offensive or inflammatory communication.6. Unauthorized or illegal installation, distribution, reproduction, or use of copyrighted materials.7. Access to obscene or pornographic material or child pornography.8. Access by students and minors to material that is harmful to minors or is determined inappropriate for minors in accordance with Joint Operating Committee policy.9. Inappropriate language or profanity.10. Transmission of material likely to be offensive or objectionable to recipients.11. Intentional obtaining or modifying of files, passwords, and data belonging to other users.12. Impersonation of another user, anonymity, and pseudonyms.13. Fraudulent copying, communications, or modification of materials in violation of copyright laws.14. Loading or using of unauthorized games, programs, files, or other electronic media.15. Disruption of the work of other users. |
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| <p>47 U.S.C. Sec. 254 47 CFR Sec. 54.520</p> | <p><u>Safety</u></p> <p>To the greatest extent possible, users of the network will be protected from harassment and unwanted or unsolicited communication. Any network user who receives threatening or unwelcome communications immediately shall bring them to the attention of a teacher or administrator. Network users shall not reveal personal information to other users on the network, including chat rooms, e-mail, Internet, etc.</p> <p>Any school computer/server utilized by students and staff shall be equipped with Internet blocking/filtering software.</p> <p>Internet safety measures shall effectively address the following:</p> <ol style="list-style-type: none">1. Control of access by minors to inappropriate matter on the Internet and World Wide Web.2. Safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic communications.3. Prevention of unauthorized online access by minors, including "hacking" and other unlawful activities.4. Unauthorized disclosure, use, and dissemination of personal information regarding minors.5. Restriction of minor's access to materials harmful to them. <p><u>Disclaimer</u></p> <p>Users are not permitted to create their own email disclaimer. The following disclaimer will be added to all outbound emails at the system level:</p> <p>“This email and any files transmitted with it are to be treated as confidential and as such are not to be used or disclosed except for the purpose for which it has been sent. Any views or opinions presented in this email are solely those of the author and do not represent those of the Upper Bucks County Technical School. The Upper Bucks County Technical School accepts no liability for any damage caused by this e-mail. The recipient is required to indemnify the school against any claims for loss or damage caused by any viruses or otherwise.”</p> |
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References:

School Code – 24 P.S. Sec. 1303.1-A

PA Crimes Code – 18 Pa. C.S.A. Sec. 5903, 6312

Child Internet Protection Act – 24 P.S. Sec. 4601 et seq.

U.S. Copyright Law – 17 U.S.C. Sec. 101 et seq.

Sexual Exploitation and Other Abuse of Children – 18 U.S.C. Sec. 2256

Enhancing Education Through Technology Act – 20 U.S.C. Sec. 6777

Internet Safety, Children’s Internet Protection Act – 47 U.S.C. Sec. 254

Children’s Internet Protection Act Certifications, Title 47, Code of Federal Regulations – 47 CFR Sec. 54.520

Joint Operating Committee Policy – 249, 814