



If the incident involves criminal activity;

**STOP!**

Do not take any further action until you have consulted with law enforcement officials.



## LEARNING MODULE E

### *Making an Acceptable Use Policy Work for Your School*

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Whether the documents governing technology at your school site are referred to as “Acceptable Use,” “Responsible Use,” or simply “Technology Use” policies, it is likely time to rethink or update such documents. In doing so, each educational institution must acknowledge that technology use policies are not single, “one-size fits all” documents which can be adopted nationwide and on a one-time basis. With the increasing prevalence of technology in schools and by students and staff, schools cannot afford to rely upon outdated, incomplete, and sometimes inapplicable policies that were once created, for example, to satisfy a state mandate or attach to an application for funding.

Instead, technology use policies should be considered sound principles and practices that are incorporated into the policies, regulations, handbooks, and agreements of each educational institution. They should serve as tools with clear consequences and expectations which, not only help enforce rules and standards but, provide an opportunity to educate students, staff, and the community about responsible technology use. They should be user and age-appropriate and should be thought of as contracts which govern all technology use affiliated with any particular school site.

If you are not convinced that technology use policies are important, consider the legal consequences; while technology use policies may not eliminate liability or the potential for litigation, sound policies and practices can reduce liability by, for example, minimizing violations of the rights to privacy and free speech and the right to be free from unreasonable search and seizure. In short, technology use policies truly matter and are important.

With this background in mind, how do you actually make a technology use policy work for your school? As a preliminary matter, it is likely that your school will need to form a team of individuals to address your school’s technology use. While an administrator or attorney could prepare such policies, practical and effective policies require various perspectives and insight which one person is typically ill-equipped to provide. We recommend that you and your technology use team follow five tips:

#### **1. Begin by researching your existing technology use policies and practices by asking the following questions:**

- a. What existing policies do we have regarding technology use (e.g., acceptable use policies, student and employee handbooks, collective bargaining agreements, board policies, administrative regulations, site plans)?
- b. Do our policies address today’s (and possibly tomorrow’s) technology and how that technology is being used? For example, do our policies address email, blogging, mobile technologies, and social media use both inside and outside the classroom?
- c. Are our technology use documents consistent and do they make sense when read together?
- d. Are our policies being followed by users and the school?
- e. Are our policies practical or impractical for the sites to enforce? For example, do we have restrictive mobile device policies which teachers and administrators do not have the resources or desire to enforce?
- f. Do our policies contemplate our desired technology use inside and outside the classroom? For

example, do they provide teachers who are authorized to use software and social media in the classroom with sufficient procedures to ensure that the teachers are not inadvertently subjecting the school to one-sided contracts or inappropriate terms of use? Do they ensure that students' privacy interests are being protected?

- g. Do our policies include strategies for preventing, detecting, intervening in, and responding to misuses of technology?

- 2. Update existing policies or prepare new policies** which establish user expectations and identify clear consequences associated with misuse. Remember that, while school board policies are certainly important, more-detailed policies which are consistent with your board policies may be most appropriate for user agreements, collective bargaining agreements, binding handbooks, and administrative regulations because such documents have greater flexibility in that they generally do not require school board approval.
- 3. Evaluate whether your policies cover all users (e.g., students and staff) and available technologies and uses.** Remember, it is generally recommended that you have multiple policies which are age and user appropriate.
- 4. Consult your attorney** (not necessarily in this order). Whether you involve your attorney in the policy development process from the beginning or merely at the end for a final review, the complex and evolving laws implicated by technology use necessitate that you involve your legal counsel at some point. Your attorney should be able to advise you about any state-specific laws which need to be addressed in your policies, potential rights violations, and/or any bargaining or personnel implications. Additionally, your attorney may be able to strengthen the policy language and identify other policies that need to be updated to reflect current laws and technology.
- 5. Train personnel and provide notice of your school's technology use policies.** Once your policies are completed, it may be tempting to post the policies on your website or file them in a binder. It is important, however, that you identify and train people involved in monitoring and enforcing the policies, such as administrators, Information Technology personnel, school resource officers, and likely even some students. Additionally, the policies should be used to educate and train users, and training should consist of more than distributing hard copies of the policies to users. Make sure that all user education and training is documented with signed agreements from students, parents, and employees and that such documentation is maintained in the appropriate files.

While the task of making technology use policies work for your school may seem daunting at first, it is well worth the investment in your school, the educational community, and the future. By following these five tips and working together, your policies may not only reduce liability, but may improve learning and the educational environment.