

Policy News

Washington State
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Association



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Electronic Resources

The current WSSDA policy governing technology is model policy 2022, Electronic Information System (K-20 Network). It was drafted in 2000 at the emergence of the K-20 network. Although revised several times, much has changed since this policy was created. Additionally, districts' use of electronic resources includes much more than the K-20 network. This issue includes a revised "Electronic Resources" policy that reflects the existing state of technology use in school districts.

Technology plays a pivotal role in education. When students enter the public education system they immediately begin using technology to enhance their learning. Technology continues to rapidly evolve and instructional options increase. In addition to reading, writing and math skills, students are expected to possess proficiency in the use of technology at the time of graduation.

Providing modern technology is typically just part of a district's goal in preparing students for their future. Another goal is ensuring a positive experience for students when they access the Internet. Districts strive to: 1) promote information literacy skills so that students learn how to locate useful Internet sites, evaluate their content and use the materials appropriately; 2) manage structural issues such as networks and increased bandwidth demand; 3) develop appropriate responses to address concerns about how best to ensure network security and protect the privacy of individuals, particularly students; 4) monitor the impact that a chosen safety solution has on a district, including the impact on teachers, students and network managers; and 5) work with vendors and technology specialists to improve the technology solutions that are available to school districts.

Laws Impacting Technology Use

The Children's Internet Protection Act (CIPA) imposed requirements on schools to monitor student access to the Internet. Schools that receive E-rate discounts to purchase Internet access or products must comply. Compliance requires schools to adopt a "technology protection measure" on their computers. The protective measures must block or filter visual depictions that are "obscene, child pornography or harmful to minors." The law also requires that schools adopt an Internet safety policy, commonly referred to as an acceptable use policy. The policy must address: 1) access by minors to inappropriate or harmful material; 2) safety and security when using e-mail, chat rooms, instant messaging and other forms of direct electronic communications; 3) unauthorized access, including "hacking" and other unlawful activities; and 4) un-

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Policy News

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About the WSSDA

Founded in 1922, the Washington State School Directors' Association is comprised of all 1,477 school board members from Washington's 295 school districts. The districts they lead serve more than one million students, have a combined annual budget of \$6 billion, and employ nearly 100,000 people. WSSDA's core mission is focused on ensuring that school board members have the knowledge, tools and services they need to effectively govern their districts and improve student learning.

authorized disclosure, use and dissemination of personal information.

Schools use various technologies and protocols to manage Internet access, including blocking and filtering software, monitoring software, e-mail filtering and restricted intranets. Compliance with the law and providing appropriate access requires careful balancing of safety interests versus legitimate educational access. An example of blocking access being taken to extremes is evidenced by the recent decision of the University of Chicago Law School to block all wireless access to the Internet in classrooms. The University found that Internet access was a distraction to students, because access hindered the level of attention and engagement in the classroom. Although higher education students' usage differs from use by minors, this illustrates the challenges of providing appropriate access to technology that does not interfere with educational objectives.

Filtering has proved problematic for districts because no filtering solution is fault proof. Some block sites that educators consider appropriate, or continue to allow access to objectionable sites. Some solutions do not provide enough flexibility. Districts can unblock certain sites for teachers, however, that can be very time consuming. Prior to such unblocking, many districts require permission from an administrator and such time delays cause frustrations for staff. The increased practice of providing students with school-owned take-home laptop computers adds another dimension of complexity to the balance of appropriate access necessary for students to develop the technology skills they need. All of these issues should be considered as the district

develops electronic resources and the accompanying policies and procedures.

FERPA and Technology

In accordance with the Family Educational Rights and Privacy Act (FERPA), schools must have written parent or eligible-student permission to release any information from a student's education record. There are certain exceptions, such as directory information. Directory information is defined generally as a student's name, dates of attendance and school activities.

A student's educational record may be released to: 1) those with a legitimate educational interest; 2) other schools into which a student is transferring or enrolling; 3) specified officials for audit or evaluation; 4) appropriate parties in connection with financial aid; 5) organizations conducting certain studies for, or on behalf of, the school; 6) accrediting organizations; 7) a person in response to judicial orders or lawfully issued subpoenas; 8) health and safety emergencies; 9) state and local authorities, within a juvenile justice system; and 10) individuals pursuant to specific state laws.

However, districts must not disclose education records or personally identifiable information from education records without prior consent from the parent or eligible student, unless it is considered directory information or falls under one of the other exceptions contained in the law. The widespread use of technology requires an added degree of caution to ensure that electronic education records are appropriately disclosed.

The intersection between FERPA and technology exists because of the greater potential for student information to unintentionally be

disclosed over the electronic super highway. For example, historically the main concern has been someone hacking into the central computer system or otherwise accessing information through a breach. Today, the risk increases because of the use of portable storage devices (flash drives), hand-held computers, electronic information transfers (e-mail) and other tools and devices used to store or transfer data. If a breach occurs, the district will be responsible for notifying the affected students and attempt to retrieve the disclosed information. To avoid this type of recovery scenario, the best approach is for the district to be proactive in training staff on security procedures for confidential district records, particularly those that are electronic.

Acceptable Use Policy Considerations

Districts need a policy to guide staff and students in the use of electronic resources. It is the goal of the policy to provide reasonable protection from accessing objectionable and questionable materials and student interaction with questionable persons. Development of the electronic resources policy will also provide information to staff and students on how to avoid violation of copyright, abuse of intellectual property, objectionable behavior and material, destructive behavior, misuse of public resources and violation of privacy.

Diplomas For Veterans

Starting in 2002, the legislature began allowing school districts to recognize members of the armed services who served their country bravely, but had to forfeit the opportunity to earn their high school diploma. The first to be recognized were World War II veterans who were scheduled to graduate from

One goal of the policy is to communicate with staff and students that behavior that is unacceptable without technology is most likely also unacceptable with technology. For example, if it is unacceptable behavior for a student to send someone a threatening or harassing handwritten note, it is likewise unacceptable behavior to commit the same act using electronic mail.

Essential Elements of the Policy

There are a plethora of issues that could be included in an electronic resources policy. Issues that we believe are essential to meet the needs of a district have been selected for the model policy. They include access to the Internet, electronic mail and the rights and responsibilities of students and staff. Additionally, the procedure contains a description of acceptable use, including a statement of how the policy will be enforced and the consequences that will be imposed for violations.

Policy Development

Certain policies require a degree of expertise – electronic resources is one such policy. The district should gather input from teachers, students, administrators, library media specialists, the school and district technology coordinators and parents or guardians regarding the procedures that are most appropriate.

high school after 1940 and before 1951, but left high school to serve in the war.

In 2003, the legislature expanded the law to honor those veterans who served in the Korean conflict. These are the veterans scheduled to graduate from high school in

Education of Staff and Students

Numerous opportunities should be provided to acquaint staff and students with their rights and responsibilities when using district electronic resources. Typically, students are provided with the acceptable use agreement at the beginning of the year and asked to sign the agreement. An opportunity for students to review and discuss the information with a staff person is usually most effective. The parental consent form should clearly explain the board's definition of acceptable use, provide examples of use that are not acceptable and clearly state the disciplinary actions or other consequences that may occur if the policy is violated. The oversight role of staff is critical in the effective implementation of an acceptable use policy, therefore professional development opportunities focused on the use of electronic resources should also be provided for staff.

Furthermore, some districts require staff to sign an employee user agreement. This verifies that they understand their rights and responsibilities when using the district electronic resources.

WSSDA model policy and procedure 2022, Electronic Resources, are revised to reflect the evolving nature of technology in the public school setting.

the years 1940 through 1955, but left high school because of the conflict.

During the most recent legislative session, veterans of the Vietnam conflict were added to the category of veterans that may receive a high school diploma because their high school careers were in-

errupted by service in the military. Vietnam era veterans are those who served from February 1961 through May 7, 1975 in the Republic of Vietnam; or the period beginning August 5, 1964, and ending on May 7, 1975.

Districts may award the diploma to World War II, Korean conflict and

Vietnam era veterans who are honorably discharged from the armed forces. Veterans with substantial ties to the district are eligible for their high school diploma posthumously or if they subsequently earned a high school equivalency certificate.

The district determines whether the applicant has established substantial ties to the district. The law was effective June 12, 2008. WSSDA Policy 2412, Diplomas for Veterans, is updated to include veterans of the Vietnam conflict.

Capital Assets/Theft-Sensitive Assets

Districts are responsible for maintaining and accounting for their capital assets. Asset inventory and tracking systems are an essential part of maintaining control of the district's assets. An effective asset system helps the district track capital assets as well as sensitive equipment. It also helps provide proof of loss from vandalism or casualty losses, provides a mechanism to cal-

culate depreciation, assists in tracking assets for maintenance purposes and helps in the capital outlay planning process.

The theft-sensitive assets policy highlights the need for the district to perform a risk assessment on assets to identify those that are particularly at risk or vulnerable to loss. The district should have written procedures for managing capi-

tal and theft sensitive assets. Periodically, the district should conduct a risk assessment to determine if the controls are effective and efficient in managing the district's assets.

WSSDA policy 6801, Fixed Assets, is modified and a new procedure added to assist districts with accounting for capital and theft-sensitive assets.

Substitute Employment

Prior to 2003, districts hiring classified staff determined whether the position was eligible for retirement membership. If an employee was in a position that normally required employment of more than five months of seventy hours or more, the employee was eligible for membership. Employers had the responsibility of reporting that determination to the Department of Retirement Systems and for reviewing eligibility as circumstances changed. If an employer mistakenly classified an employee as ineligible and the employee was in fact eligible, the employer and employee were required to make contributions retroactively from the date when the position became eligible. At that time, the term "substitute" was used by districts to refer to a variety of employees, including those working in the place of absent employees, those working temporarily in unfilled positions, or for other reasons. Conse-

quently, the system of tracking and recording for classified substitute employees was inefficient and burdensome for school districts.

Recognizing the challenges with that system, the legislature changed the process to allow substitute classified employees to purchase service credits at the end of the school year that the substitute service was performed. The definition of substitute classified common school employees was clearly defined as those working exclusively as substitutes for absent employees. Further clarification was added that if the employee returns or is terminated and the substitute continues, the substitute employee remains eligible to apply for benefits.

The law currently provides that eligible substitutes are common school system classified employees who have established membership in the School Employee Retire-

ment system (SERS) or who "work at least seventy hours for five or more months" during a school year. They may elect to purchase service credit at the end of the school year.

WSSDA policy 5610, Substitute Employment, is amended deleting the reference to classified substitutes being hired into positions ineligible for retirement benefits. New language is inserted clarifying the classified substitute's ability to purchase service credit.