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Rethinking Acceptable Use Policies to Enable Digital Learning:

A Guide for School Districts

digital media policies in schools – often referred to as Acceptable Use Policies (AUPs) – have two dimensions. They:

■ **Protect** students from harmful content on the Internet and regulate students use of the Internet so they do not harm other students or interfere with the school's instructional program.

■ **Provide** students with good access to digital media to support engaged learning.

While these two dimensions are not intrinsically in conflict, in actuality, they can be if policies are flawed. A critical concern is: How can we best assure that students will not have access to pornography, hate sites, or other pernicious Internet content or experience sexual or physical harassment. There is also concern about students wasting instructional time in social media sites, engaging in cyberbullying, harassing of other students, or cheating on tests.

There is a wide range of restrictions regarding digital media access and use in school districts across the U.S. Some districts believe that the best way to eliminate inappropriate use of the Internet and mobile devices is to rely on extensive blocking of Internet sites and to restrict or substantially limit use of student owned mobile devices in the classroom.

Other districts take a different policy stance. While they also use blocking and filtering on the district Internet server as required by federal law, their policy is based on the premise that students need to learn how to be responsible users, make informed choices, and be held accountable for their behavior. More and more school districts have come to permit the use of student-owned mobile devices in a way that supports student learning. These districts also remind us that highly restrictive school networks may provide an appearance rather than a reality of protection since students can often find ways to bypass the system. Often a district will create different levels of restriction for students based on age.

The current educational context is characterized by expanded ownership of mobile devices and increased number of interactive and collaborative applications and sites on the Internet. The purpose of this guide is to assist school districts in rethinking their acceptable use policy that is appropriate to this context. This CoSN Policy Guide addresses the following questions:

1. How does policy differ from procedure and does the difference matter?

2. What federal laws regulate internet use in schools?

3. What state laws regulate internet use in schools?

4. What are two ways that school districts develop or revise the AUP?

5. When – how often – should school district AUPs be updated?

6. What are the implications of moving from an acceptable use policy to a responsible use policy?

7. Where can I find samples of AUPs?

8. What are some timely, relevant, and useful resources pertaining to the use of digital media for learning?

1. How does policy differ from procedure and does the difference matter?

Policies are principles or rules that are intended to shape decisions and actions. Policies provide the framework for the functioning of the organization. Procedures are the ways that organizations implement policies. Policies answer the "what" and "why" questions. Procedures answer the "how," "who," and "when" questions. Policies are expressed in broad terms; procedures are expressed in specific behavioral or operational terms. Even though the distinction between policies and procedures is sometimes confused, the difference between them does matter. Since procedures need to be flexible to adapt to changing conditions in the organization, it is useful to differentiate policies from procedures so that procedural modifications can be made in a timely manner—often without board action.

2. What federal laws regulate internet use in schools?

The Children's Internet Protection Act (CIPA) is the key federal law affecting the instructional use of digital media. CIPA requires any school district that receives E-Rate funding to filter or block visual depictions that are obscene, contain child pornography, or material harmful to minors. The law also requires districts to have in place an Internet safety policy.

CIPA became law in 2000 before the emergence of social networking and the widespread use of mobile devices. Thus, it does not stipulate any specific requirements for school districts using social networking or other Web 2.0 applications. CIPA provides considerable latitude in the formation of school district policies. The Federal Communications Commission (FCC) has provided a short guide to CIPA that lists five elements that must be incorporated into the Internet safety policy of the school district. School districts generally refer to their district Internet safety policy as their Acceptable Use Policy (AUP).

The five elements are:
  - (a) Access by minors to inappropriate matter on the Internet;
  - (b) The safety and security of minors when using electronic mail, chat rooms and other forms of direct electronic communications;
  - (c) Unauthorized access, including so-called "hacking," and other unlawful activities by minors online;
  - (d) Unauthorized disclosure, use, and dissemination of personal information regarding minors; and
  - (e) Measures restricting minors' access to materials harmful to them.

The FCC has not clarified whether school districts must provide filters on school-purchased computers or mobile devices that students are permitted to bring home. This is a gray area. Thus, some school districts choose to install filters on home use of school computers while others do not. Hack Education provides a discussion of what happens when school Internet filters follow you home.

In 2008, the Broadband Data Services Act was signed into law. Title II of that Act is named "Protecting Children in the 21st Century," Section 254 of Title II requires schools to educate children on the safe use of the Internet. In 2011 the FCC issued an order that added (in the words of the order) "the statutory language from the Protecting Children in the 21st Century Act regarding the education of students about appropriate online behavior to the existing Commission rule to the existing rules for implantation of CIPA." This rule requires schools to educate children (in the words of the order) "regarding appropriate online behavior including interacting with other individuals on social networking websites and in chat rooms, and regarding cyberbullying awareness and response." The FCC did not specify how schools must "educate" their students. School district personnel can determine the most appropriate methods (i.e., courses, assemblies, emails, guides, etc.) to teach students the necessary skills and dispositions. As a consequence of the 2011 FCC rule, schools that are in compliance with CIPA rules and eligible for the E-rate must certify that they are educating students on safe use.

While the FCC order recognized that there could be harmful materials on social media sites, they did not preclude the use of sites such as Facebook or other social media. The FCC order spoke to the value of social networking: "Indeed, the U.S. Department of Education recently found that social networking websites have the potential to support student learning, stating that students can 'participate in online social networks where people from all over the world share ideas, collaborate, and learn new things.'" Declaring such sites categorically harmful to minors would be inconsistent with the Protecting Children in the 21st Century Act's focus on "educating minors about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms, and cyberbullying awareness and response."

In their 2011 order, the FCC acknowledged that sufficient guidance had not been provided on the issue of the use of student-owned portable devices. They indicated that they would seek public comment on the matter at a later date.

The State of Washington Department of Public Instruction Website contains background documents for developing an AUP, a template for an AUP, and a compilation of current research pertaining to child safety issues.

3. What state laws regulate internet use in schools?

Many states have enacted laws pertaining to cyberbullying or electronic harassment. <u>A Brief Review of State Cyberbulling Laws and Policies</u> provides a summary of actions taken in all 50 states as of January 2013. The National Council of State Legislatures has a summary of <u>Laws Relating to Filtering, Blocking and Usage Policies in Schools and Libraries</u> as of January 2013. Twenty-four states have enacted legislation that requires schools to filter Internet materials and/or to require schools to develop Internet safety policies. These laws are generally redundant given CIPA's federal scope.

4. What are two ways school districts develop or revise their AUP?

School districts generally approach policy development pertaining to the AUP in one of two ways. Some do so by designating a school official such as the chief technology officer, a cabinet member, or legal counsel working alone, or with a small group of school personnel to develop their policy. Others, and this is a smaller number of districts, involve a committee comprised of stakeholders including parents, teachers, administrators, community members and (though more rarely) students. While the former approach is easier and faster, a more inclusive process generally results in better policy and more "buy-in" by those who are critical in enforcing the policy and affected by the policy.

In some instances, districts take advantage of digital media to communicate with parents on their use of digital media in the school and to disseminate AUP information to parents. The <u>Castle Dome Middle School</u> developed a video to announce their new Bring Your Own Technology policy and to disseminate information about their AUP for student-owned mobile devices.

Critical to the success of an AUP is the sense of ownership of the policies by their prime audience: students. Ownership requires that students understand the policy and the reasons why it has been developed and implemented. Student involvement in policy formation can help to generate student "buy in." Requiring students to sign a document indicating they will comply with the district policies may or may not mean that they understand and accept the commitment they are making. A "sign off" could be as casual and thoughtless as the way people sometimes place a check in the accept box on applications or software "terms and conditions."

District AUPs vary from those that are quite brief and provide essential policy guidelines such as the <u>Nederland Independent School District</u> to those that are much more detailed such as the <u>Coast Unified School District AUP</u>.

5. When – how often – should school district AUPS be updated?

School districts take differing positions on updating their AUP. Some districts update if and when a crisis, issue, or situation indicates a need for policy change while others schedule periodic updating. There are two reasons why regular district updating may be useful. The first is to keep up-to-date with new developments. Digital media is quite dynamic and continues to develop and evolve. Also, the perspectives on teaching and learning that pertain to the use of digital media also change. The second reason is to perpetuate ownership of them by those who will be most affected by the policy. Effective policies do not live on paper. They live in the consciousness of those who are affected by the policies. Updating can help bring AUP policies from a document stored in the district server to understandings that shape behavior. The widespread use of social media and other Web 2.0 applications and the increasing prevalence of mobile devices by school age youth are key factors in causing many districts to review their AUP. Well-publicized events of cyberbullying, harassment, and sexting leading to tragic consequences have prompted many school districts to develop a policy pertaining to cyberbullying and, though less frequently, sexting. A key issue with regard to the use of social networking pertains to teachers "friending" students. A number of schools, perhaps most prominently, New York City Schools have taken a policy stand against "friending" of students by teachers. Other schools see Facebook "friending" as a useful resource for teachers. A comprehensive description of the pros and cons of friending can be found on the Debatepedia site.

The prevalence of student-owned mobile devices requires schools to take a position on their use in school. An article in the EdTech Newsletter provides information on AUPs in a Web 2.0 world. In 2010, an article in Education Week reported that schools were beginning to open doors to student mobile device use. A growing number of school districts, such as the Dysart Unified School District in Arizona, have revised district policy or practice to permit use of student-owned mobile devices for teaching and learning in the classroom. A report produced in 2012 shows growing support for the use of student-owned mobile devices as a resource for learning in the classroom.

6. What are the implications of moving from an acceptable use policy to a responsible use policy?

Some districts, such as the Portsmouth School Department, have altered the perspective on "acceptable" use policies by framing them as "responsible" use policies. A "responsible use" approach is more than just a switch in terminology. It presents the student use policy in the form of what students should do rather than what they should not do. The Massachusetts Educational Technology Council has a useful document that provides more details on the responsible use approach.

When a district adopts the approach of helping students become responsible users of digital media, there is the need to provide specific learning experiences. While effective teachers will make use of leaning opportunities as they emerge, it is necessary to develop instructional plans that teach students the needed skills and dispositions. Edutopia provides a series of resources that can be used to teach young children Internet safety. Common Sense Media helped parents and schools cultivate safe and healthy media use and has made available a Digital Literacy and Classroom Citizenship Curriculum. The Digital Citizenship Website defines the elements of digital citizenship and provides links to many resources that can be used in the classroom. In order for teachers, school librarians, or other school personnel to be effective mentors and models of digital citizenship, it is important that they are knowledgeable. Digital Citizen, developed by the California School Library Association, provides a tutorial to 'bring up to speed" school personnel and student leaders.

The issue of acquiring the skill to protect oneself from misinformation on the Internet typically gets less public attention than does safe use with regard to predators, cyberbullying, or harassment. However, the ability to protect one's self from misinformation constitutes another form of safe use since, clearly, falling prey to misinformation engenders its own form of harm. A number of resources that can be used in the classroom can be found on the "Critical Evaluation of Resources" site. Teacher Tap contains information on how to evaluate Internet resources. It also contains a number of Web sites containing false information that can be used to give students "hands on" experience in critiquing Web sites.

7. Where can I find samples of AUPs?

Katy Independent School District, TX. Katy requires students to review the AUP each year and parents or guardians are required to acknowledge acceptance of the policy. The district policy makes distinctions on permissible and non-permissible behavior according to the age of the student. Also, it stipulates that employees supervising students who use the District's system must provide training emphasizing its appropriate use.

Springfield Public Schools, MO. This typical AUP specifies unacceptable behavior as well as sanctions for such.

Warwick School District, PA. This district has policy on cyberbullying and related matters.

Oconomowoc Area Schools, MN. This district developed a policy for instructional use of student-owned mobile devices.

State College Area School District, PA. This AUP contains language specific to the use of social media. The district also has made available a Social Media Toolkit for school personnel.

Forsyth County Schools, GA. This district permits students to use their own personal devices in the school and to connect to the district server.

8. What are some timely, relevant, and useful resources pertaining to the use of digital media for learning?

Participatory Learning in Schools: Leadership & Policy Initiative. This CoSN leadership initiative provides resources to school districts that are implementing policies and practices to enable a learning environment with digital media tools.

Making Progress. This CoSN document reflects consensus views of nearly twenty key national education organizations to inform policymakers and educators as they develop or reconsider policies addressing mobile device use and social media in the context of improving learning.

Varying Approaches to Internet Safety. A discussion with senior officials from Ministries of Education, national information and communication (ICT) policy bodies, and national school networking organizations from Denmark, Sweden, The Netherlands, UK, the USA and Australia on Internet Safety.

Social Media Guidelines for Schools. A wiki for collaboration on developing social media guidelines for schools.

Cyber Security for the Digital District. This CoSN leadership initiative provides information and tools to help school districts protect their networks from cyber security threats.

Empowering Parents and Protecting Children in an Evolving Media Landscape. From the Berkman Center for Internet and Society at Harvard University, this report provides a detailed review of research and policy pertaining to Internet safety for children.

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Participatory Learning in Schools: Leadership & Policy
Consortium for School Networking

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