**Maria Montessori Academy**
**Policy: Electronic Resources Policy**
**Adopted: February 11, 2014**
**Renewed: June 28, 2022**
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**Renewed: September 11, 2025**
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## Purpose

Maria Montessori Academy (the "School") recognizes the value of computer and other electronic resources to facilitate student learning and help the School's employees accomplish the School's mission. The School has therefore made substantial investments to establish a network and provide various electronic resources for its students' and employees' use. Because of the potential harm to students and the School from misuse of these resources, the School requires the safe and responsible use of computers; computer networks, including e-mail and the Internet; and other electronic resources. This policy is intended to ensure such safe and responsible use and to comply with Utah Administrative Rule R277-495, Utah Code § 53G-7-227, Utah Code § 53G-7-1001 *et seq.*, the Children's Internet Protection Act, and other applicable laws.

## Policy

### Electronic Devices

The School recognizes that various forms of electronic devices are widely used by both students and employees and are important tools in today's society. The School seeks to ensure that the use of electronic devices, both privately-owned devices and devices owned by the School, does not cause harm or otherwise interfere with the learning, safety, or security of students or employees.

### ***Definitions***

"**Electronic device**" means a device that is used for audio, video, or text communication or any other type of computer or computer-like instrument including but not limited to: a cellphone or smartphone, a smart or electronic watch, a tablet, a virtual reality device, or AI glasses.

"**Privately-owned electronic device**" means an electronic device that is not owned or issued by the School to a student or employee, including any emerging technology (which includes any device that has or will be able to act in place of or as an extension of an individual's cellphone).

"**School-owned electronic device**" means an electronic device that is owned, provided, issued, or lent by the School to a student or employee.
"**School hours**" means the time from the beginning of the School day, as designated by the School's bell schedule, until the end of the School day, as designed by the School's bell schedule, including all instructional time, lunch periods, recess, and transition times between classes.

"**School-sponsored activities**" means field trips, curricular and extracurricular activities, and extended School-sponsored trips or activities, including School-provided transportation to and from such activities.

***Student Use of Electronic Devices***

Electronic devices may only be possessed and used by students during School hours and during School-sponsored activities in accordance with the following standards:

- Electronic devices may not be used to view, access, download, store, or transmit pornography or other obscene or inappropriate material.
- Electronic devices may not be used to bully, threaten, embarrass, harass, or intimidate other students, teachers, volunteers, School guests, or School employees.
- Electronic devices may not be used in ways that violate local, state, or federal laws.
- Electronic devices may not be used during quizzes, tests, and standardized assessments except as otherwise provided herein.
- Electronic toys are not allowed in the School.
- Students may have privately-owned electronic devices in their possession during School hours or at School-sponsored activities. However, privately-owned electronic devices must remain out of sight in a bag, backpack, or locker and be turned off or set to a mode where notifications can't be received, unless an exception provided herein applies.
- Students may not use or respond to privately-owned electronic devices during School hours, unless an exception provided herein applies.

***Exceptions***

The Principal may give permission for a student to possess and use a privately-owned electronic device during School hours and during School-sponsored activities for good cause if the device does not distract from the instructional or educational process and is not otherwise used inappropriately.

Parents may request that the Principal allow a student to possess and use a privately-owned electronic device on active mode at all times during School hours and during School-sponsored activities, with the exception of during tests and standardized assessments, for good cause, including medical needs or unusual family situations. Parents may also request that the Principal allow a student to briefly use a privately-

owned electronic device during non-instructional time in a specified location designated by the School.
Students may use a privately-owned electronic device to address a medical necessity.

A student may possess and use a privately-owned electronic device on active mode at all times during School hours and during School-sponsored activities, including during assessments, if such an accommodation is specified in a written Section 504 plan, an Individualized Education Plan, or in connection with other legitimate circumstances determined by the Principal.

Privately-owned electronic devices may be possessed and used in the event of an emergency during the limited period of the emergency in order to protect the safety of a student or School employee, visitor or volunteer. This includes using a privately-owned electronic device to respond to an imminent threat to health or safety of an individual or to respond to a School-wide emergency.

Students may also use a privately-owned electronic device during School hours and during School-sponsored activities to use the SafeUT Crisis Line.

Parents may make other individualized requests for exceptions to this policy to the Principal.

***Consequences for Violation***

A student will receive one warning prior to discipline for violating this policy unless the violation involves cheating or constitutes a violation of the School's Student Conduct and Discipline Policy or Bullying and Hazing Policy or at the discretion of the Principal. On the second violation of this policy, if the violation involves a privately-owned electronic device, the privately-owned electronic device will be confiscated, labeled, and held in a secure location. The Principal, teachers, and other individuals designated by the Principal may confiscate privately-owned electronic devices under this policy.

Despite the foregoing, a privately-owned electronic device may be confiscated after an initial or other violation of this policy if the violation is deemed serious by the Principal, teacher, or another individual designated by the Principal. Serious violations include but are not limited to a student using a privately-owned electronic device to:

- Threaten, harass, bully, or intimidate another person;
- Access pornography or obscene material;
- Engage in academic dishonesty;
- Participate in criminal behavior; or
- Repeatedly or egregiously disrupt classroom or other School instruction.

*An individual other than a student that finds or confiscates a privately-owned electronic device may search the device for the purpose of determining the device's owner. Students may not search privately-owned electronic devices that do not belong to them. Privately-owned electronic devices that are used inappropriately may be subject to*

*search by the Principal or other individuals designated by the Principal if there is a reasonable suspicion that the device contains obscene or pornographic material or has been used to cheat or to threaten, embarrass, harass, or intimidate other students, teachers, volunteers, School guests, or School employees. School-owned electronic devices may be searched at any time by School officials, with or without cause.*

The School is not responsible for loss, damage or theft of any privately-owned electronic devices. The School will make reasonable efforts to notify parents/guardians if the School has confiscated a student's privately-owned electronic device. Parents/guardians who show identification may retrieve confiscated electronic devices during School hours or by appointment. *The School will retain un-retrieved privately-owned electronic devices until the end of the School year, at which time the devices will be disposed of in a manner that ensures that no data stored on the device may be retrieved.*

The Principal may, subject to applicable law, impose additional disciplinary consequences for a student's violation of this policy, considering the nature of the violation and other disciplinary actions in which the student has been involved. Such disciplinary actions may include:

- Loss of the privilege to possess or use electronic devices
- Disciplinary letter to the student's parent/guardian that is placed in the student's file
- Detention
- In-School suspension
- Suspension
- Expulsion
- Loss of the privilege of participating in School-sponsored activities or of receiving honor recognition

The School may contact law enforcement if School employees believe that a student has used an electronic device in connection with a violation of criminal law, and criminal penalties may arise from inappropriate use of electronic devices.

## ***Notice of the Policy***

The School will give parents and students written notice of this policy annually. Written notice will be satisfied by posting the policy on the School's website in the same location as the School's Data Governance Plan required in R277-487. The School may also provide notice by publishing the policy in a School handbook, sending the policy to the student's home, or any other reasonable means.

## ***Creative and Innovative Uses for Electronic Devices***

Teachers and other School employees are encouraged to use electronic devices creatively in order to effectively communicate with students and parents/guardians and to enhance instruction. Creative uses might include notifying absent students of

assignments, communicating with parents when students excel or if they are behind or absent, notifying students and parents of news articles or events that would enhance the learning experience, providing feedback to students on tests and assignments, parents notifying the School when students are absent or tardy.

***Other Provisions***

Picture taking or sound or video recording by students is prohibited in School unless authorized by a teacher or the Principal. Picture taking or sound or video recording by students is prohibited in private areas of the School such as locker rooms, counseling sessions, washrooms, and dressing areas. Violations of this may subject students to discipline, and any suspected illegal activity may be reported to law enforcement.

Students bring privately-owned electronic devices on School property at their own risk. The School is not responsible for lost, stolen or damaged privately-owned electronic devices.

Students are responsible for their privately-owned electronic devices and may be subject to discipline if their device is misused by another.

Parents, guests and visitors to the School may use electronic devices at School and at School-sponsored activities only in accordance with rules established by the Principal. Such individuals who use the School's electronic resources may not use such resources to access inappropriate material or information.

## Internet Safety

It is the School's policy to: (a) prevent user access over its computer network to, or transmission of, inappropriate material via Internet, electronic mail, or other forms of direct electronic communications; (b) prevent unauthorized access and other unlawful online activity; (c) prevent unauthorized online disclosure, use, or dissemination of personal identification information of minors; and (d) comply with the Children's Internet Protection Act (section 254(h) of title 47, United States Code).

***Definitions***

Key terms are as defined in the Children's Internet Protection Act.

**"Technology Protection Measure"** means a specific technology that blocks or filters Internet access to visual depictions that are:

1- Obscene, which means material that is obscene under section 1460 of title 18, United States Code, and applicable United States Supreme Court precedent.
2- Child Pornography, as that term is defined in section 2256 of title 18, United States Code; or

3- Harmful to minors.

**"Harmful to Minors"** means, as set forth in section 254 of title 47, United States Code, any picture, image, graphic image file, or other visual depiction that:

1- Taken as a whole and 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 a lewd exhibition of the genitals; and
3- Taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.

**"Sexual Act"** and **"Sexual Contact"** have the meanings given such terms in section 2246 of title 18, United States Code.

***Access to Inappropriate Material***

The School employs technology protection measures (or "Internet filters") to block or filter Internet access to—or other forms of electronic communications containing—inappropriate information over the School's network or by School-owned electronic devices. These technology protection measures constitute the School's preapproved content filtering system as described in Utah Code § 53G-7-1003, and they are employed by the School regardless of whether a parent requests them or not. The School also employs a parent-accessible monitoring system, which is a technology platform that enables a parent to review the activity of the parent's student on School-owned electronic devices.

Specifically, as required by the Children's Internet Protection Act, blocking shall be applied to visual depictions of material deemed obscene or child pornography, or to any material deemed harmful to minors.

Subject to staff supervision, technology protection measures may be disabled or, in the case of minors, minimized only for bona fide research or other lawful purposes. Procedures for disabling or otherwise modifying any technology protection measures shall be the responsibility of the Principal or designated representatives.

***Inappropriate Network Usage***

To the extent practical, steps shall be taken to promote the safety and security of users of the School online computer network when using electronic mail, chat rooms, instant messaging, and other forms of direct electronic communications.

Specifically, as required by the Children's Internet Protection Act, prevention of inappropriate network usage includes: (a) unauthorized access, including so-called "hacking" and other unlawful activities and (b) unauthorized disclosure, use, and dissemination of personal identification information regarding minors.

***Education, Supervision and Monitoring***

It shall be the responsibility of all School employees to educate, supervise and monitor appropriate usage of the School's online computer network and access to the Internet in accordance with this policy, the Children's Internet Protection Act, the Neighborhood Children's Internet Protection Act, and the Protecting Children in the 21st Century Act. This includes educating students about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms, as well as cyberbullying awareness and response. The School will also provide information regarding these matters to parents/guardians.

**Student Acceptable Use of School Electronic Resources**

The School makes various electronic resources available to students. These resources include computers and other electronic devices and related software and hardware as well as the School's network and access to the Internet. The School's goal in providing such electronic resources to students is to enhance the educational experience and promote the accomplishment of the School's mission.

Electronic resources can provide access to a multitude of information and allow communication with people all over the world. Along with this access comes the availability of materials that may be considered inappropriate, unacceptable, of no educational value, or even illegal. The School has initiated safeguards to restrict access to inappropriate materials, and use of the Internet and other electronic resources is monitored as well.

In order to use the School's electronic resources, students must be willing to abide by the rules of acceptable use. Use of the School's electronic resources is a privilege, and students have no expectation of privacy in connection with their use of the School's electronic resources. Students who abuse this privilege by actions such as damaging the School's electronic resources; violating copyrights; bullying, hazing, intimidation, harassment and threats; accessing pornography or other obscene or inappropriate material; inappropriate language; gambling; unauthorized games; or other unauthorized or inappropriate use, will be subject to discipline. Violation of policies and rules regarding use of the School's electronic resources may also result in confiscation of School-issued devices and denial of access to the School's electronic resources. This may result in missed assignments, inability to participate in required assignments and assessments, and possible loss of credit or academic grade consequences.

The School may contact law enforcement if School employees believe that a student has used School electronic resources in connection with a violation of criminal law, and criminal penalties may arise from inappropriate use of electronic resources. This applies to use of the School's electronic resources at any time and place, whether on or off School grounds.

Students are personally responsible for School electronic resources provided to them and the students and their parents/guardians may be held responsible for loss or damage to such electronic resources.

Parents play an important role in helping students understand what does and does not constitute acceptable use.

The Principal shall ensure that additional rules and procedures regarding students' use of the School's electronic resources are established and clearly communicated to students and their parents/guardians. The Principal shall ensure that students receive appropriate training regarding these rules and procedures. The rules and procedures shall be available for review at the School.

## Staff Acceptable Use of School Electronic Resources

Improper use of the School's electronic resources by employees has the potential to negatively impact students, damage the School's image, and impair the School's electronic resources. Therefore, this policy is intended to govern employees' and volunteers' use of the School's electronic resources, and employees must agree to these terms as a condition of employment.

### ***At-Will Employment***

Nothing in this policy is intended to create additional rights for any employee or to otherwise alter or amend the at-will nature of the employment relationship between the School and any employee.

### ***The School's Rights***

It is the School's policy to maintain an environment that promotes safe, ethical and responsible conduct in all activities involve the use of the School's electronic resources. The School recognizes its legal and moral obligation to protect the well-being of students and to preserve the integrity of its electronic resources. The School's rights in connection with its electronic resources include but are not limited to the following:

1. All data, files, programs, and materials downloaded with or used, sent, received, or stored upon the School's electronic resources are the School's property, and the School may deal with such items as it deems appropriate.
2. The School may log network use and monitor server space utilization by users and assumes no responsibility or liability for files deleted due to violation of server space allotments.
3. The School may remove a user account on the network with or without notice.

4. The School may monitor all user activities on the School's electronic resources, including but not limited to real-time monitoring of network activity and/or maintaining a log of Internet activity for later review.
5. The School may provide internal and external controls of network usage as appropriate and feasible, including but not limited to restricting online destinations through software or other means.
6. The School may limit or restrict, with or without notice, access to the School's electronic resources for those who do not abide by this policy or other direction governing the use of the School's electronic resources.
7. The School may determine, in its sole discretion, what materials, files, information, software, communications, and other content or activity are permitted or prohibited.
8. The School may delete or remove, with or without notice, any files, programs, data or other materials from any of the School's electronic resources.
9. The School may provide additional policies or guidelines regarding acceptable use of electronic resources.

***Employees' Responsibilities Regarding Students' Use of Electronic Resources***

Employees who supervise students, control electronic resources, or otherwise have the ability to observe student use of School electronic resources are responsible for educating students on appropriate use of the School's electronic resources. Such employees shall make reasonable efforts to monitor such use to ensure that it is consistent with applicable rules. Employees should make reasonable efforts to become familiar with the Internet and the use of the School's electronic resources to help ensure effective monitoring, instruction, and assistance.

***User Responsibilities***

Use of the School's electronic resources is a privilege intended to help employees fulfill their responsibilities and promote the School's mission. In order to maintain this privilege, users must agree to comply with this policy. Users who are aware of any violation of this policy by any employee must report the violation to the Principal. Employees are responsible for any School electronic resources issued to them at all times and may be held responsible for any inappropriate use, regardless of the user.

Employees may use privately-owned electronic devices at School or at School-sponsored activities in accordance with rules and procedures established by the Principal.

Violation of this policy is grounds for discipline, up to and including termination. The School may also notify law enforcement as appropriate, and such actions may subject an employee to criminal penalties.

***Acceptable Use***

Standards for acceptable use of the School's electronic resources include but are not limited to the following:

1. All use of the School's electronic resources, including but not limited to use of computers and other electronic devices, use of e-mail, and network and Internet access must be consistent with the School's mission.
2. Network accounts are to be used only by the authorized user of the account for the authorized purpose.
3. Users must take reasonable steps to protect the privacy of students, School employees and other members of the School community and must strictly maintain the confidentiality of information regarding such individuals.
4. Use of the School's electronic resources, whether inside or outside the School, must comply with the School's employee handbook, as established from time to time.
5. Employees must comply with applicable copyright laws, ethical rules, and other applicable laws and regulations.
6. Users must exercise appropriate professional judgment and common sense when transporting files to and from school, keeping in mind copyright and other legal issues, as well as ensuring that the non-School to or from which files are being transferred are employing appropriate virus-control technologies.
7. Users must exhibit professionally appropriate behavior when using the School's electronic resources in order to professionally represent and preserve the image the School.
8. Users must take reasonable precautions to protect the School's electronic resources in order to reduce repair costs, maintain the integrity of the network, and protect the School's assets. Employees who damage School electronic resources may be financially responsible for the cost of repair or replacement.
9. From time to time, the School will make determinations on whether specific uses of the School's electronic resources are consistent with the intent of this policy.

***Unacceptable Use***

The following uses of the School's electronic resources are prohibited:

1. Excessive use of the School's electronic resources for personal matters. "Excessive use" includes but is not limited to use of electronic resources in a manner that interferes with an employee's performance of work-related responsibilities or with the functioning of the School's electronic resources.
2. Use of the School's electronic resources in connection with social networking sites for non-academic purposes is prohibited.
3. Use of the School's electronic resources for commercial or for-profit purposes.
4. Use of the School's electronic resources for product advertisement or political lobbying.
5. Personal electronic devices may only be connected to the School's network with appropriate authorization.

6. Intentionally seeking information on, obtaining copies of, or modifying files, other data, or passwords belonging to other users, or impersonating or misrepresenting other users of the School's network.
7. Unauthorized use or disclosure of personal student information in violation of the Family Educational Rights and Privacy Act, 34 CFR, Part 99.
8. Use of the School's electronic resources in a manner that disrupts the use of the network by others.
9. Destroying, modifying, or abusing the School's electronic resources in any way.
10. Use of the School's electronic resources in a manner that threatens or impairs the integrity or security of the network.
11. Use of the School's electronic resources for hate mail, chain letters, harassment, discriminatory remarks, and other antisocial behaviors.
12. Downloading or installation of any software, including shareware and freeware, for use on the School's electronic resources without the approval of the Principal or designee.
13. Use of any software on the School's electronic resources in violation of the applicable license or use agreement.
14. Use of the School's electronic resources to access, process, store, send or receive pornographic, sexually explicit or otherwise inappropriate material (as determined by the Principal).
15. Use of the School's electronic resources for downloading entertainment software, files or other material not related to the mission of the School. This prohibition pertains to freeware, shareware, copyrighted commercial and non-commercial software, and all other forms of software and files not directly related to the instructional and administrative purposes of the School.
16. Downloading, copying, otherwise duplicating, and/or distributing copyrighted materials without the specific written permission of the copyright owner, except that duplication and/or distribution of materials for educational purposes is permitted when such duplication and/or distribution would fall within the Fair Use Doctrine of federal copyright law.
17. Use of the School's electronic resources for any unlawful purpose.
18. Use of the School's electronic resources to intentionally access, process, store, send or receive materials containing profanity, obscenity, racist terms, or other harassing, abusive, intimidating, threatening, discriminatory or otherwise offensive language or images.
19. Use of the School's electronic resources for playing games unless it is for instructional purposes or otherwise approved by the Principal or designee.
20. Participating in activities, including but not limited to the preparation or dissemination of content, which could damage the School's professional image, reputation and/or financial stability.
21. Permitting or granting access to the School's electronic resources, including but not limited to granting use of an e-mail or network account or password, to another individual, including but not limited to someone whose access has been denied or terminated.

22. Portable data storage devices may only be used to backup or transport files and data between computers and use of such devices for the operation of unauthorized portable applications is prohibited.
23. Establishing connections to live communications, including text, voice, or video, may only be done in a manner approved by the Principal or designee.
24. Malicious use of the School's electronic resources to develop programs that harass other users or infiltrate a computer or computing system and/or damage the software components of a computer or computing system.

***Disclaimer***

1. The School cannot be held responsible for information that is retrieved via the network.
2. Pursuant to the Electronic Communications Privacy Act of 1986 (18 U.S.C. § 2510, et seq.), notice is hereby given that there are no facilities provided by the School's system for sending or receiving private or confidential electronic communications. System administrators have access to all mail and will monitor messages. Messages relating to or in support of illegal activities will be reported to the appropriate authorities.
3. The School is not responsible for any damage users may suffer, including loss of data resulting from delays, non-deliveries, or service interruptions caused by the School's negligence or your errors or omissions.
4. Use of any information obtained is at the user's own risk.
5. The School makes no warranties (expressed or implied) with respect to:
    - The content of any advice or information received by a user, or any costs or charges incurred as a result of seeing or accepting any information;
    - Any costs, liability, or damages caused by the way the user chooses to use his or her access to the network.
6. The School reserves the right to change its policies and rules at any time.

***Privacy***

Use of and access to the School's electronic resources is provided to employees as a tool for the School's business. The School reserves the right to monitor, inspect, copy, review, store or remove, at any time, without prior notice, any and all usage of the School's electronic resources such as the network and the Internet, including but not limited to e-mail, as well as any and all materials, files, information, software, electronic communications, and other content transmitted, received or stored in connection with this usage. All such information, content, and files are the property of the School. Employees should have no expectation of privacy regarding them. Network administrators may review files and intercept communications for any reason, including but not limited to maintaining system integrity and ensuring employees are using the system consistently with this policy.

This policy will be reviewed periodically to ensure that it continues to meet the School's needs.

## Training

The School will provide, within the first 45 days of each school year, a School-wide or in-classroom training to employees and students that covers:

- The contents of this policy;
- The importance of digital citizenship;
- The School's conduct and discipline related consequences as related to a violation of this policy;
- The School's general conduct and discipline policies;
- The benefits of connecting to the Internet and utilizing the School's Internet filters while on School property; and
- Any specific rules governing the permissible and restricted uses of privately-owned electronic devices while in a classroom.

Each educator who allows the use of a privately-owned electronic device in the classroom must clearly communicate to parents and students the conditions under which the use of such a device is allowed.

The School will provide an annual notice to all parents of the location of information for in-home network filtering options (https://consumerprotection.utah.gov/edu/filtering.html) as provided for in Utah Code § 76-5c-402.

## Complaints

Complaints about this policy or its enforcement, or complaints about observed behavior regarding the policy, should be addressed in accordance with the School's grievance policies.

## Review and Approval

This policy will be reviewed and approved at least every three years to ensure that it continues to meet the School's needs.

**Staff Acceptable Use of School Electronic Resources**
**Acknowledgement of Receipt and Understanding**

I hereby certify that I have read and fully understand the contents of the School's policies regarding use of the School's electronic resources. Furthermore, I have been given the opportunity to discuss any information contained therein or any concerns that I may have. I understand that my employment and continued employment is based in part upon my willingness to abide by and the School's policies, rules, regulations and procedures. I acknowledge that the School reserves the right to modify or amend its policies at any time, without prior notice. I acknowledge that these policies do not create any promises or contractual obligations between the School and its employees and that my employment with the School continues to be at will. My signature below certifies my knowledge, acceptance and adherence to the School's policies, rules, regulations and procedures regarding the use of its electronic resources. I acknowledge that violation of any of these policies may be grounds for discipline, up to and including termination.