

Ofelia San Pedro, Deputy Superintendent  
Business Operations

**SUBJECT: PROPOSED PROMULGATION OF NEW SCHOOL BOARD  
RULE: FINAL READING 6Gx13- 5C-1.09, POLICY FOR  
UTILIZATION OF THE STUDENT E-MAIL SYSTEM**

**COMMITTEE: INNOVATION, EFFICIENCY, AND GOVERNMENT  
RELATIONS**

**LINK TO DISTRICT**

**STRATEGIC PLAN: IMPROVE AND EXPAND CURRENT CURRICULUM**

The School Board of Miami-Dade County, Florida, announced on April 18, 2007, its intention to promulgate new School Board Rule 6Gx13- 5C-1.09, Policy for Utilization of the Student E-Mail System. The purpose of the proposed new Board Rule is to:

- provide the district with a uniform policy that sets forth the standards for the acceptable use of District student e-mail accounts
- incorporate current technologies while mediating risk to students, and
- set forth the consequences for failing to abide by these standards.

The Notice of Intended Action was published in the *Miami Daily Business Review* on April 23, 2007, posted in various places for public information and mailed to various organizations representing persons affected by the new rule and to individuals requesting notification.

The time to request a hearing or protest the adoption of this new rule has elapsed.

In accordance with the provisions of the Administrative Procedure Act, this new rule is presented to The School Board of Miami-Dade County, Florida, for adoption and authorization to file the rule in the official records of The School Board of Miami-Dade County, Florida.

Attached are the Notice of Intended Action and the proposed new Board Rule.

**E-201**

**RECOMMENDED:** That The School Board of Miami-Dade County, Florida, adopt new School Board Rule 6Gx13- 5C-1.09, Policy for Utilization of the Student E-Mail System, and authorize the Superintendent to file the new rule with The School Board of Miami-Dade County, Florida, to be effective June 13, 2007.

## NOTICE OF INTENDED ACTION

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, announced on April 18, 2007, its intention to promulgate new School Board Rule, 6Gx13- 5C-1.09, Policy for Utilization of the Student E-Mail System, at its meeting of June 13, 2007.

**PURPOSE AND EFFECT:** The purpose of the proposed Board rule is to provide the district with a uniform policy that sets forth the standards for the acceptable use of district student e-mail accounts by authorized student users and of the consequences for failure to abide by these standards.

**SUMMARY:** The proposed rule contains language describing what constitutes acceptable use of e-mail accounts by students.

**SPECIFIC LEGAL AUTHORITY UNDER WHICH RULEMAKING AUTHORITY IS AUTHORIZED:** 1001.41(1)(2); 1001.42(23); 1001.43(10) F.S.

**LAW IMPLEMENTED, INTERPRETED, OR MADE SPECIFIC:** 1001.42 (5) and (6); 1012.53; 815.04; 815.06; 1012.23; 1012.27(6) F.S.

IF REQUESTED, A HEARING WILL BE HELD DURING THE BOARD MEETING OF June 13, 2007, which begins at 1:00 p.m. in the School Board Auditorium, 1450 N.E. Second Ave., Miami, Florida, 33132. Persons requesting such a hearing or who wish to provide information regarding the statement of estimated regulatory costs, or to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower regulatory alternative as provided by Section 120.541(1), Florida Statutes, must do so in writing by May 14, 2007, to the Superintendent of Schools, Room 912, at the same address.

ANY PERSON WHO WISHES TO APPEAL THE DECISION made by The School Board of Miami-Dade County, Florida, with respect to this action will need to ensure the preparation of a verbatim record of the proceedings, including the testimony and evidence upon which the appeal is to be based (Section 286.0105, Florida Statutes).

A COPY OF THE PROPOSED NEW RULE is available at cost to the public for inspection and copying in the Citizen Information Center, Room 158, 1450 N.E. Second Avenue, Miami, Florida 33132.

Originator: Ms. Ofelia San Pedro  
Date: March 29, 2007

## Activities

# POLICY FOR UTILIZATION OF THE STUDENT E-MAIL SYSTEM

## **Purpose of the Rule**

The purpose of this rule is to establish a policy for the use of Miami-Dade County Public Schools (M-DCPS) student electronic mail (e-mail) system by students, their parents and others. This policy applies to any and all electronic messages composed, sent or received by anyone utilizing the district's student e-mail system. For the purpose of this Board rule, authorized users of e-mail, hereafter referred to as users, are defined as students, their parents and any other individuals or groups issued District student e-mail accounts.

## **Purpose of District E-Mail**

E-mail is a standard means of communication around the globe and as such the use of e-mail has become a necessary skill. E-mail usage provides students an invaluable asset as a means of communication between educators, students and parents. The District encourages the use of e-mail as an educational and communication tool. Users of the District e-mail services are expected to do so responsibly, that is, to comply with Florida and Federal Laws, with the policies and procedures of the District, and with established standards of personal and professional conduct and courtesy.

### **I. Acceptable Use of District E-mail Services**

Utilization of District student e-mail system must be in support of and consistent with the objectives of the District. All users must be aware of and understand the standards by which M-DCPS expects and requires users to conduct themselves when utilizing District e-mail. All users must understand that these established standards apply to the use of all District e-mail. These standards are delineated more fully in, among other things, the MDCPS *Student Code of Conduct (Elementary and Secondary)*, School Board Rule 6Gx13-4C-1.06, *Copyright – Educational Media*, including the sections on Electronic Media and Compliance and Fair Use, School Board Rule 6Gx13-4A-1.21, *Permanent Personnel Responsibilities and Duties*, School Board Rule 6Gx13-4C-1.064, *Policy for Utilization of the E-Mail System*, School Board Rule 6Gx13- 6A-1.112, *Acceptable Use Policy for the Network* and the *M-DCPS Network Security Standards*. Accordingly, all users must familiarize themselves with all applicable standards. A user's failure to familiarize himself or herself with these guidelines will not constitute a viable defense to or be considered as a mitigating factor to a charge that said user has violated this rule. Student use must be strictly

consistent with M-DCPS curriculum goals and is intended for academic use. **Students must therefore use the system only as directed by their teacher and exclusively for class-related work.** Personal e-mail use may be permitted for other purposes as authorized by District administration.

## II. Unacceptable Use of District E-mail Services

Users may not utilize the District's student e-mail system to perform any action or transmit any communication that they would otherwise be prohibited from doing in any other medium of communication. This means that e-mail must follow the same rules of conduct one would follow in face-to-face or written communications.

Unacceptable and prohibited uses of District student e-mail services include, but are not limited to:

- A. Using profanity, obscenity, or other language which may be offensive to another user or any matter deemed to be obscene under the law. Obscene material is that material which: 1) the average person, applying contemporary community standards, would find, taken as a whole, appeals solely to prurient interests; and 2) depicts or describes in a patently offensive way, sexual conduct as defined by state law; and 3) taken as a whole, lacks serious literary, artistic, political, or scientific value. } Added Pursuant to Board Direction on 4/18/07
- B. Transmitting any material that is in violation of Federal, State, and local laws, or of M-DCPS School Board rules, standards, regulations, or guidelines. This includes, but is not limited to, unauthorized distribution of material that contains statements that would tend to violate an individual's civil or constitutional rights or constitute harassment or transmission of trade secrets or copyrighted material without the consent of the owner or copyright holder.
- C. "Spoofing" where spoofing is defined as the act of disguising the sender of an e-mail by replacing the name in the "from" line or header fields, sending e-mails while signed on as a different user, or otherwise intentionally misleading the recipient as to the identity of the actual sender.
- D. Sending anonymous e-mail.
- E. Engaging in any activity designed to view the e-mails of other individuals without authority or permission.
- F. Using the District's global distribution lists is prohibited.
- G. Initiating or forwarding "chain-letters" or petitions.

- H. "Spamming," or the sending of unwanted, unsolicited and/or unnecessary messages to large numbers of people, usually with the purpose of advertising a product, event, service, or lobbying for a specific political position or promoting an individual's opinion. In many cases, the sender is unknown to the recipients.
- I. Acting in a manner that violates, the *Student Code of Conduct* and School Board Rules, including, but not limited to School Board Rule 6Gx13- 4C-1.064, Policy for Utilization of the E-Mail System, School Board Rule 6Gx13- 6A-1.112, Acceptable Use Policy for the Exploration and Utilization of the Network as a Tool for Learning, the *M-DCPS Network Security Standards* and School Board Rule 6Gx13-5D-1.08, Maintenance of Appropriate Student Behavior and those Board Rules incorporated by reference therein.

### III. User Expectations and Consequences of Inappropriate Use

The student e-mail system is the property of Miami-Dade County Public Schools. The District reserves the right to monitor the e-mail system for unacceptable use according to federal, state, and local laws and district procedures, policies and rules. Any user who violates this rule may be subject to revocation of e-mail privileges and/or appropriate disciplinary action, up to and including suspension and/or expulsion in accordance with School Board rules.

- A. Principals, teachers and District administrators are authorized to determine whether a user is in compliance with this rule and is utilizing the District's e-mail system in an appropriate and acceptable manner. This includes monitoring any user's e-mail for the purpose of determining compliance.
- B. Students and parents must register and complete the Student E-Mail Parental Consent Form before they will be authorized to use the district e-mail system.
- C. Users will be given an e-mail account and password and must sign in to use the e-mail system. Users will be held responsible for all activity associated with their account and so must not share their password with anyone, with the exception that students may share their password with their parents or teacher, if necessary. Users will have the ability to change their password and must do so if the confidentiality of their password has been compromised.
- D. Students will not be given access to the e-mail system without written approval from their parents/guardians. Parents/guardians must be aware that although the district will use blocking and filtering technology and will monitor e-mail use as carefully as possible, inappropriate material may still be transmitted by their child. Parents are wholly responsible for the e-mail transmissions of their child while using the district e-mail system.

- E. Students must not send any restricted or personal information, especially names, addresses and phone numbers, or communicate with non-school site personnel without the knowledge and supervision of their teacher. Students who receive unsolicited e-mails from strangers or threatening or otherwise inappropriate e-mail from anyone shall report the incident to their teacher or school administrator immediately and must not reply.
- F. Users must not reply to or forward advertising e-mail, or "spam"; it must simply be deleted without opening.
- G. Users are prohibited from sharing any list of the e-mail addresses of persons in their class with anyone not enrolled in the class.
- H. Teachers must use due diligence and stop and/or report students they see or hear are using the e-mail system in an inappropriate manner. In particular, inappropriate uses including, but not limited to, sending obscenity, pornography, copyrighted material, test answers or the sending or forwarding of threats or bullying through the e-mail system are strictly prohibited and will result in disciplinary action as described elsewhere in this rule.
- I. Users of the student e-mail system must not expect that e-mail generated or received via the District's e-mail system will remain private. As a result, users must be aware that:
  - 1. Sensitive and confidential data, including data considered exempt from public disclosure, may be viewed by persons other than the intended recipient. Information that is exempt or confidential under state and federal law may need to be encrypted, blocked out, or not transmitted by e-mail. E-mail is legally discoverable and may be used in court proceedings.
  - 2. Users are hereby notified that there is no individual right to privacy in the use of the District's e-mail system. Administration has an absolute right to monitor use of the e-mail system at its discretion. Users are warned that although e-mail often has the feel of a private conversation, it is in fact, not private.
- J. In addition to checking for the above inappropriate uses and blocking inappropriate e-mail referenced above, the District:
  - 1. Reserves the right to review e-mails stored in the network for the purpose of maintaining adequate and necessary file server space.
  - 2. Reserves the right to modify or delete e-mails or attachments that may contain computer viruses or any other computer code that could damage or destroy any portion of the network.

**Specific Authority:** 1001.41(1)(2); 1001.42(23); 1001.43(10), F.S.

**Law Implemented, Interpreted, or Made Specific:** 815.04; 815.06; 1012.23;  
1012.27(6), F.S.

**History**

**THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA**

**New:**