

**RESOLUTION 25-055 - Approval of Amended Board Policy IIBGA – Electronic Communications System**

This resolution is for first reading for amended Board Policy IIBGA – Electronic Communications System.

**Background:** In light of the increased use of personal electronic devices by staff in the classroom or otherwise, OSBA, in consultation, has added additional language related to personal electronic devices and their use when related to educational purposes and student records.

**WHEREAS**, the Multnomah Education Service District Board of Directors reviewed and discussed amended Board Policy IIBGA – Electronic Communications System; and

**WHEREAS**, the Superintendent will establish administrative regulations for use of the ESD’s system by staff using their own personal electronic devices to download and store ESD proprietary information including personally recognizable information about ESD student or staff; and

**WHEREAS**, regulations shall insure compliance with privacy rights under applicable federal and state laws and regulations, including but not limited to the Age Discrimination in Employment act of 1967 (ADEA), the Americans with Disabilities Act (ADA), the Genetic Information Nondiscrimination Act of 2008 (GINA) and the Health Insurance Portability and Accountability Act of 1996 (HIPPA); and

**NOW THEREFORE BE IT RESOLVED**, that amended Board Policy IIBGA – Electronic Communications System is approved for first reading as written or as further modified.

# Multnomah Education Service District

Code: IIBGA  
Adopted: 12/20/05  
Revised/Readopted: 9/21/10; 3/17/15; 12/16/25

## Electronic Communications System

~~The Board is committed to the development and establishment of a quality, equitable and cost effective electronic communications system. The system's sole purpose will for the advancement and promotion of learning and teaching.~~

The MESD's system will be used to provide statewide, national and global communications opportunities for staff and students **and for the advancement and promotion of teaching and learning.**

The Superintendent and cabinet will establish administrative regulations for the use of MESD's **electronic communication** system, including compliance with the following provisions of the Children's Internet Protection Act: Which will apply to all system users.

1. Technology protection measures, installed and in continuous operation, that protect against Internet access by both adults and minors to visual depictions that are obscene, child pornography or, with respect to the use of the computers by minors, harmful to minors;
2. Educating minors about appropriate online ~~on-line~~ behavior, including cyberbullying awareness and response, and **how to interact** ~~interacting~~ with other individuals on social networking sites and in chat rooms;
3. Monitoring the online activities of minors;
4. Denying access by minors to inappropriate matter on the Internet and World Wide Web;
5. Ensuring the safety and security of minors when using ~~electronic~~-mail, **social media**, chat rooms and other forms of direct electronic communications;
6. Prohibiting unauthorized access, including so-called "hacking" and other unlawful activities by minors online;
7. Prohibiting unauthorized disclosure, use and dissemination of personal information regarding minors; and
8. Installing measures designed to restrict minors' access to materials harmful to minors.

~~The Superintendent will establish administrative regulations for use of the ESD's system by staff using their own personal electronic devices to download and store ESD proprietary information including personally recognizable information about the ESD students or staff.~~ **Administrative regulations developed** shall ~~insure~~ **ensure** compliance with privacy rights under applicable federal and state laws and regulations, including but not limited to the Age Discrimination in Employment Act of 1967 (ADEA), the Americans with Disabilities Act (ADA), the Genetic Information Nondiscrimination Act of 2008 (GINA) and the Health Insurance Portability and Accountability Act of 1996 (HIPPA).

Administrative regulations will be consistent with ~~sound~~ guidelines as may be provided by ~~the MESD~~ the Oregon Department of Education and/or the Oregon Government Ethics Commission, and will include a complaint procedure for reporting violations.

Failure to abide by the MESD policy and administrative regulations governing use of the MESD's **electronic communications** system may result in the suspension and/or revocation of system access. Additionally, student violations **may** ~~will~~ result in discipline up to and including expulsion. Staff violations may ~~will also~~ result in discipline up to and including dismissal. Violations of law may ~~will~~ be reported to law enforcement officials. Fees, fines or other charges may also be imposed.

## END OF POLICY

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### Legal Reference(s):

<del>ORS 30.765</del>	<a href="#">ORS 167.090</a>	<a href="#">OAR 581-021-0050</a>
<del>ORS 133.739</del>	<a href="#">ORS 167.095</a>	<a href="#">OAR 581-021-0055</a>
<del>ORS 162.435</del>	<a href="#">ORS Chapter 192</a>	<a href="#">OAR 584-020-0040</a>
<del>ORS 164.345</del>	<a href="#">ORS 332.107</a>	<a href="#">OAR 584-020-0041</a>
<del>ORS 164.345</del>	<a href="#">ORS 336.222</a>	
<del>ORS 164.365</del>	<a href="#">ORS 339.250</a>	
<a href="#">ORS 167.060</a>	<a href="#">ORS 339.260</a>	
<a href="#">ORS 167.065</a>	<a href="#">ORS 339.270</a>	
<a href="#">ORS 167.070</a>		
<a href="#">ORS 167.080</a>		
<a href="#">ORS 167.087</a>		

Children's Internet Protection Act, 47 U.S.C. Sections 254 (h) and (l) (2018); 47 CFR Section 54.520 (2019).  
Copyrights, Title 17, as amended, United States Code; 19 CFR Part 133 (2020).  
~~Oregon Attorney General's Public Records and Meetings Manual, pp. 24-26, Appendix H, Department of Justice (2001).~~  
Safe and Drug-Free Schools and Communities Act, 20 U.S.C. Sections 7101-7117.  
Drug-Free Workplace Act of 1988, 41 U.S.C. Sections 701-707; 34 CFR Part 85, Subpart F.  
Controlled Substances Act, 21 U.S.C. Section 812, schedules I through V, 21 CFR 1308.11-1308.15 (2020).  
Drug-Free Schools and Communities Act Amendments of 1989, P.L. 101-226, 103 Stat. 1928.  
Americans with Disabilities Act of 1990, 42 U.S.C. Sections 12101-12213; 29 CFR Part 1630 (2018); 28 CFR Part 35 (2020).  
Family Educational Rights and Privacy Act, 20 U.S.C. Section 1232g; 34 CFR Part 99 (2020).  
~~Oregon Government Standards and Practices Commission, Advisory Opinion No. 98A-1003 (July 9, 1998).~~  
~~No Child Left Behind Act of 2001, P.L. 107-110, Title II, Section 2441.~~  
**Every Student Succeeds Act 20, U.S.C Sections 7131 (2018)**  
**Americans with Disabilities Act Amendments of 2008, 42 U.S.C. Section 12101-12133(2018)**

### MESD Policy Cross Reference(s):

EDE - Acceptable Use of Electronic Network Services  
EGAA - Reproduction of Copyright Materials/Services  
EH - Electronic Data Management  
GBNA - Hazing/Harassment/Intimidation/Bullying/Menacing  
IA/IAA - Instructional Goals  
IGBAB/JO - Student Educational Records  
II/IIA - Instructional Resources/Instructional Materials  
JFCF - Hazing/Harassment/Intimidation/Bullying/Cyberbullying - Student  
JO/IGBAB - Student Educational Records