

Book	Policy Manual
Section	Vol. 41, No. 2 - Technology Update - January 2023
Title	Vol. 41, No. 2 - Technology Update - January 2023 - OVERVIEW
Code	01 - OVERVIEW
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OHIO LOCAL UPDATE OVERVIEW AND COMMENTS

VOLUME 41 NUMBER 2 - TECHNOLOGY UPDATE

JANUARY 2023

District-Specific Material

Although the proposed policies included in this collection have been thoughtfully prepared and reviewed by Neola's legal counsel for statutory compliance, it is the responsibility of each district to decide which policies and the specific language to include in its own unique policy collection. If the district makes changes, or substitutes in its entirety policies or other materials of the district's own drafting, those materials should be reviewed by the district's legal counsel to verify compliance. Neola does not review district-specific edits to update materials or District-specific policies for statutory compliance.

If the District chooses to adopt a (New) policy or guideline or incorporate District-specific material into an existing policy or guideline other than what has been proposed by Neola, then the District agrees to hold Neola harmless for those District-specific edits and acknowledges that Neola's warranty for legal challenges to that District-specific language in that policy or guideline will not be in effect. In addition, Neola retains ownership of the text from the original policy template that remains in a policy to which District-specific material has been added. District-specific materials include the following:

- A. Materials from the District's existing materials that the District requests be incorporated during the drafting process;
- B. (New) materials that the District develops in their entirety and exclusive of Neola; and
- C. Revisions or deletions that substantively depart from Neola's templates.

Further, Neola does not recommend the use or incorporation of District-specific materials. Neola will, at the request of the District, incorporate District-specific materials into the licensed materials, with the implicit understanding that the District bears all risks associated with the District's decision to request that such District-specific materials be incorporated. Neola reserves the right to, but is not obligated to, advise the District to seek its own legal review of District-specific materials.

Revised documents included in this Special Release provide updated terminology, reference to multifactor authentication (MFA), added cyber security procedures, and information related to content and functionality specifications prescribed by the Office for Civil Rights (OCR) for accessibility purposes.

This Special Release includes:

POLICIES

These policies and corresponding administrative guidelines have been updated to reflect changes that have occurred in the area since many of the documents were last updated in 2017 and 2018, including the recent release of ChatGPT (see Policies and AGs 7540.03 and 7540.04, which now include a fairly extensive discussion of artificial intelligence and natural language processing tools).

These revised documents are recommended but not required.

Policy 7540 – Technology (Revised)

Policy 7540.01 - Technology Privacy (Revised)

Policy 7540.02 – Web Accessibility, Content, Apps, and Services (Revised)

This policy has been updated to reflect best practices and the evolving state of the law related to website accessibility based on the Americans with Disabilities Action (ADA). While the Department of Justice and the U.S. Department of Education Office for Civil Rights (OCR) have not formally adopted regulations pertaining to website accessibility for public entities, including public schools, they continue to publicize the need for public entities' websites to be accessible to individuals with disabilities in order to comply with the ADA and/or Section 504 of the Rehabilitation Act of 1973. Additionally, the OCR continues to find districts out of compliance with the law and to enter into resolution agreements to bring the offending district's websites into an acceptable state of accessibility. The proposed revised documents are recommended but not required.

Policy 7540.03 - Student Technology Acceptable Use and Safety (Revised)

Policy 7540.04 - Staff Technology Acceptable Use and Safety (Revised)

Policy 8300 - Continuity of Organizational Operations Plan (Revised)

Policy 8305 - Information Security (Revised)

Policy 8315 - Information Management (Revised)

Policy 9700.01 - Advertising and Commercial Activities (Revised)

This policy has been updated to incorporate optional language pertaining to advertising that is posted/published on the district's website. The policy now offers guidance concerning the appropriate content of advertising when it is not feasible for the advertisement to be reviewed and approved by the Superintendent prior to it running on the district's website. The optional language is offered to address the situation posed by website advertising associated with vendors such as VNN (i.e., "The Home of High School Sports Communities"). Such advertising represents a form of "media-based electronic advertising" under the category of "Direct Advertising/Appropriation of Space." While the legal issues presented by such arrangements represent more of a contracting issue for boards of education as opposed to a policy one (e.g., boards of education should verify that their contracts with such vendors expressly address the type of advertising that will be permitted to run on such sites, which a user can link to from the district's website – in particular, the contracts should require compliance with the General Advertising Guidelines outlined in Policy 9700.01, including Paragraphs D, E, F, G, H, and K), the optional language offered in Paragraphs I and N affirms that it is not feasible to expect the district to review each advertisement in advance for age-appropriateness or for the superintendent to screen all advertising.

These revisions are recommended but not required.

ADMINISTRATIVE GUIDELINES

AG 7540 - Computer Technology and Networks (Revised)

AG 7540A - Staff and Student Training Regarding the Internet (Revised)

AG 7540.02 - Web Content and Functionality Specifications (Revised)

AG 7540.03 - Student Technology Acceptable Use and Safety (Revised)

AG 7540.04 - Staff Technology Acceptable Use and Safety (Revised)

AG 8300 - Continuity of Organizational Operations Plan (Revised)

AG 8305 - Collection, Classification, Retention, Access, and Security of District Data/Information (Revised)

AG 8305A - Information Security Responsibilities (Revised)

AG 8305B - Information Security Incident Management (Revised)

AG 8305C - Notification Information Security Incident (Revised)

AG 8315 - Litigation Hold Procedure (Revised)

See notes on Policies above.

FORMS

Form 7540.03 F1 – Student Technology Acceptable Use and Safety Agreement (Replacement)

Form 7540.04 F1 – Staff Technology Acceptable Use and Safety Agreement (Replacement)

COMMENTS

Reviewing Board Minutes

A feature of your subscription to the Update Service is the review of your District's Board minutes to identify action that results in new policy or revision to existing policy. If such action has been taken and copies of the related materials have not been submitted to the Coshocton Office, the District will be contacted and additional information regarding the action will be requested. Please take advantage of this valuable service by sending copies of your Board minutes to the Coshocton Office for review.

Last Modified by Beth Harman on February 9, 2023