



Internet and Network Acceptable Use Policy with CIPA Compliance

References: 53e-9-308
R277-495
CIPA

PURPOSE

The purpose of this policy is to outline measures to ensure safe and appropriate internet use for students and teachers in compliance with CIPA.

DEFINITIONS

- I. CIPA: Child Internet Protection Act
- II. Data Manager: an individual designated by Merit Academy to fulfill the duties described in the Utah State Legislature's 53e-9-308
- III. FERPA¹: Family Educational Rights and Privacy Act
- IV. PPRA²: Protection of Pupil Rights Amendment
- V. Student Data Protection Agreement³: An agreement between an LEA and the USBE indicating that the LEA will protect personally identifiable student information and other regulated data exchanged between them.
- VI. Acceptable use policy: a policy stipulating constraints and practices that a user shall accept before a user accesses Merit Academy's or any school within Merit Academy's network or Internet.
- VII. Electronic device: a device that is used for audio, video, or text communication or any other type of computer or computer-like instrument including:
 - A. cellphones,
 - B. MP3 devices,
 - C. iPads,
 - D. tablets,
 - E. personal digital assistants (PDAs),
 - F. compact disc players,
 - G. portable game consoles,
 - H. cameras,
 - I. digital scanners,
 - J. laptop computers,
 - K. eReaders,
 - L. a smart or electronic watch;
 - M. a virtual reality device; and
 - N. other electronic or battery powered instruments which transmit voice, text, or data from one person or entity to another. This also includes hands-free devices (Bluetooth) connected to devices listed above

¹ [FERPA](#)

² [PPRA](#)

³ [LEA Student Data Privacy Agreement](#)

- VIII. Guest: an individual who-
 - A. is not a student, employee, or designated volunteer of Merit Academy; and
 - B. who is on school property or at the site of a school sponsored activity or event.
- IX. Inappropriate matter: pornographic or indecent material as defined in subsection 76-10-1235 and section 53G-10-103.
- X. Merit owned electronic device: a device that is used for audio, video, text communication, or other type of computer or computer-like instrument that is identified as being owned, provided, issued or lent by Merit Academy to a student or employee.
- XI. Privately owned electronic device: a device that is used for audio, video, or text communication or any other type of computer or computer-like instrument that is not owned or issued by Merit Academy to a student or employee.
- XII. Cyber Bullying: the use of e-mail, web pages, text messaging, blogs, instant messaging, three-way calling or messaging, or any other electronic means for aggression, intimidation, or harassment against another person.
- XIII. Sexting: the taking, disseminating, sending, sharing, or possession of sexually explicit messages, photographs, or images by electronic devices.
- XIV. Unauthorized Recording: any unauthorized audio recordings, capture of images, transmissions of recordings or images, or invasions of reasonable expectations of student and/or employee privacy.

POLICY

The internet offers vast, diverse, and unique resources to both students and teachers. Our goal in providing this service to teachers and students is to enhance the learning experience by facilitating resource sharing, innovation, and communication in a safe and responsible way.

This policy applies to Merit owned electronic devices, services and connectivity wherever accessed or used and to privately-owned electronic devices used while on school premises or during participation in school activities..

- I. In accordance with CIPA requirements and stipulations in R277-495, internet use at Merit Preparatory Academy is monitored and automatically filtered.
- II. Merit Preparatory Academy will designate a staff member as the Data Manager.
 - A. To ensure internet safety and compliance with state and federal law,⁴ teachers must get approval to use apps in class or with students from the Data Manager.
 - 1. All apps used at Merit Preparatory Academy must have a signed Student Data Protection Agreement approved by the state on file.
 - B. The Data Manager monitors the use of all apps used at Merit Academy to ensure student data is protected and that such use is in compliance with Utah Code 53e-9-308, FERPA and PPRA
- III. Persons on Merit school property, participating in Merit school activities, or using Merit owned devices, services, and connectivity are prohibited from:
 - A. Using electronic devices in ways that:
 - 1. significantly impair academic excellence;
 - 2. bully, humiliate, harass, threaten or intimidate school-related individuals; including students, employees, and guests, consistent with Rules R277-609 and R277-613; or

⁴ See CIPA above & [Utah Code 53e-9-308](#)

- 3. violate local, state, or federal laws;
 - B. Searching or navigating to sites involving pornographic or indecent content;
 - C. Searching or navigating to sites involving illegal drug activities, criminal behavior, hate or discrimination, school cheating, or terrorist activities;
 - D. Searching or navigating to sites containing malicious content;
 - E. Accessing sites that would hurt network devices and equipment;
 - F. Accessing gambling websites;
 - G. Unlawful activities such as “hacking”;
 - H. The unauthorized disclosure, use and dissemination of personal information regarding minors⁵;
 - I. Unethical activities, such as cheating on assignments or tests, including standardized assessments;
 - J. Sexting;
 - K. Activities in violation of Merit Academy policies and procedures relating to student conduct and harassment;
 - L. Activities which invade the privacy of others;
 - M. Cyber bullying and;
 - N. Engaging in any unauthorized recordings.
- IV. Students are allowed to bring their own personal electronic device to school that is connected to the internet via service they pay for.
- A. Content accessed through student’s personal electronic devices can be monitored or filtered by our Internet Security Vendor when on the school’s network.
 - B. To ensure safe internet use and protection of student information, it is recommended students use the school’s network.
 - C. Merit Academy is not liable for any student electronic device brought to school.
- V. Teachers may allow students to access their personal electronic devices for educational purposes as long as:
- A. such use is compliant with Merit’s Student Cell Phone Policy;
 - B. The teacher educates students on appropriate online activities; and
 - C. Supervises such activities.

Consequences for the misuse of electronic devices:

- I. If a student uses a device without the teacher’s permission or violates this policy, the device will be kept in the front office for the remainder of the day.
 - A. On the first offense, the student may be allowed to pick up their phone at the end of the day from the front office.
 - B. With the second offense, a student’s parent or guardian may need to pick up the phone at the end of the day.
 - C. Should the student continue to violate this policy, a conference will be arranged between the administration and the student and his or her parent/guardian. A plan will be determined to help the student follow the policy.
- II. Students who access or search out sites prohibited in this policy, or violate any other portion of this policy, will be investigated with the possibility of, but not limited to, parental conference, confiscation of Merit- owned electronic devices, restricted access on Merit’s network, suspension or expulsion from school, and/or civil and criminal charges filed against the student.
- III. Staff who access or search out sites prohibited in this policy or who violate any other portion of this policy will be investigated and may have criminal, employment or disciplinary consequences, and if appropriate, may be reported to law enforcement.

⁵ [Protection of Pupil Rights Amendment](#)

Responsibilities:

- I. Students
 - A. are responsible for Merit issued devices assigned to them; and
 - 1. will be required to pay for loss or damage to such devices
 - B. attempting to physically vandalize, hack into, or compromise networks, or network and computer equipment in any way will be disciplined up to suspension or expulsion from school, and/or civil and criminal charges filed against them.
- II. Parents
 - A. understand that Merit Academy has taken precautions to eliminate controversial material; and also recognize it is impossible for the School to restrict access to all controversial materials;
 - B. will not hold Merit Academy responsible for materials acquired on the network; and
 - C. accept full responsibility for supervision when their student's internet use is not in a school setting.
- III. Teachers
 - A. are responsible for Merit-issued electronic devices at all times; and misuse of an electronic device may have employment consequences regardless of the user.
 - B. who allow the use of personal electronic devices in their classroom, must clearly communicate to parents and students the conditions under which the use of a personal electronic device is allowed.
- IV. Administration
 - A. shall provide, within the first 45 days of each school year, a school-wide or in-classroom training to employees and students that covers:
 - 1. the contents of the school's policy;
 - 2. the importance of digital citizenship;
 - 3. Merit's conduct policy and discipline related consequences as related to a violation of this policy;
 - 4. Merit's general conduct and discipline policies as described in Section 53G-8-202;
 - 5. the benefits of connecting to the internet and utilizing the school's internet filters, while on school premises; and
 - 6. specific rules governing the permissible and restricted use of personal electronic devices while in a classroom setting.
 - B. shall provide an annual notice to all parents of the location of information for in-home network filtering options as provided for in Section 76-10-1231.
- V. The Board
 - A. shall regularly review this policy to ensure compliance with its stipulations;
 - B. shall ensure that this policy is available on the school's website;
 - C. shall provide access to the board for concerns regarding this policy: board@meritacademy.org

Board Approved: 3/21/23

Revised & Approved: 11/14/24