



# **ACCEPTABLE INTERNET USE POLICIES FOR PUBLIC AND PRIVATE SCHOOLS**

December 2006



COMMONWEALTH of VIRGINIA

DEPARTMENT OF EDUCATION

P.O. Box 2120  
Richmond, Virginia 23218-2120

**BILLY K. CANNADAY, JR., Ed.D.**  
Superintendent of Public Instruction

December 1, 2006

Office: (804) 225-2023  
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The Honorable Timothy M. Kaine  
Governor of Virginia  
Patrick Henry Building, 3rd Floor  
1111 East Broad Street  
Richmond, Virginia 23219

Dear Governor Kaine:

Pursuant to Section 22.1–70.2 of the *Code of Virginia*, I am pleased to submit the following biennial report: *Acceptable Internet Use Policies for Public and Private Schools*.

During 2006, the legislature passed House Bill 58 mandating that school divisions' acceptable use policies "include a component on Internet safety for students that is integrated in a division's instructional program." This report outlines actions taken by the Department of Education to assist school divisions as they begin to meet the revised requirements of Section 22.1–70.2.

If you have any questions or require additional information, please contact me at (804) 225-2023.

Sincerely,

A handwritten signature in cursive script, appearing to read "Billy K. Cannaday, Jr.", written in dark ink.

Billy K. Cannaday, Jr.

BKCKjr/slm  
Enclosure

c: The Honorable Joe T. May, Chairman, House Science and Technology Committee  
The Honorable Robert Tata, Chairman, House Education Committee  
The Honorable Russell Potts, Chairman, Senate Education and Health Committee

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## EXECUTIVE SUMMARY

The Internet unquestionably has unleashed a revolution in education. Teachers and students have unprecedented access to a vast range of resources and communication outlets; however, they are challenged daily to weigh the Internet's instructional potential versus the rapidly proliferating risks to users. These dangers often overshadow the Internet's prospective instructional value.

The Virginia General Assembly has been in the vanguard of Internet security. A progression of legislation over the last seven years has encouraged schools to take advantage of the Internet's offerings while protecting students from online dangers.

The legislature first required school divisions to establish acceptable Internet use policies in 1999. Two years later, legislation mandated the use of filtering software to block objectionable content. In 2006, House Bill 58, introduced by Delegate William H. Fralin, Jr., directed that school divisions' acceptable use policies "include a component on Internet safety for students that is integrated in a division's instructional program." This report analyzes the Department of Education's response to House Bill 58 and summarizes the status of school divisions regarding compliance with all Internet safety legislation.

All divisions have submitted revised acceptable use policies per the *Code of Virginia*, Section 22.1-70.2. As a result of House Bill 58, the Department of Education met with various experts and organizations, attended related state and national meetings, and reviewed research and resources available in print and electronic formats to understand the issues more thoroughly. After incorporating feedback from Department staff and external reviewers, the Office of Educational Technology published *Guidelines and Resources for Internet Safety in Schools* in October 2006 and placed a PDF version online to facilitate duplication and dissemination. The document promotes Internet use for learning while underscoring personal safety at all times.

## INTRODUCTION

The enabling authority for this report is § [22.1-70.2](#). Acceptable Internet use policies for public and private schools.

The Virginia General Assembly consistently has enacted legislation to promote the Internet's instructional benefits while protecting students from its risks.

House Bill 1043, enacted in 1999, amended the *Code of Virginia* by adding Section 22.1-70.2 to Chapter 6 of Title 22.1, which details the power of the Superintendent of Public Instruction regarding acceptable Internet use policies. The act required school divisions to develop acceptable use policies (AUP) that outline Internet guidelines for students and teachers. An acceptable use policy protects children's rights and conveys responsibilities each student must assume while using the Internet as an educational tool. An acceptable use policy posits expectations, establishes rights, and draws lines of responsibility for the entire school community.

In response to this legislation, all 132 school divisions submitted to the Department of Education acceptable use policies that (1) prohibit students and employees from using the Internet to send, receive, view, or download illegal material; (2) prevent students under age 18 from accessing material considered harmful to juveniles; and (3) establish appropriate measures for persons who violate the policy. To limit their liabilities, a majority of the school divisions' acceptable use policies have included a disclaimer statement and signature forms for students, teachers, and parents to confirm they have read the policy and will abide by its terms. Section 22.1-70.2 also directed the Superintendent of Public Instruction to submit a report on or before December 1, 2000, and biennially thereafter, that summarizes the school divisions' acceptable use policies filed with the Superintendent.

In 2001, new state and federal laws authorized the installation of filtering software to prevent students from accessing potentially harmful material. As a result, each school division submitted a letter of assurance stating that all schools were in compliance with the installation of filtering technologies. This document constitutes the Superintendent of Public Instruction's report on school divisions' acceptable use policies for the reporting period December 2, 2004, to December 1, 2006.

In 2006, the legislature passed House Bill 58, introduced by Delegate William H. Fralin, Jr., mandating that school divisions' acceptable use policies "include a component on Internet safety for students that is integrated in a division's instructional program" (See Appendix A – § [22.1-70.2](#). Acceptable Internet use policies for public and private schools). The new legislation required the Superintendent of Public Instruction to issue guidelines to school divisions regarding Internet safety. Subsequently, the Department of Education released *Guidelines and Resources for Internet Safety in Schools* in October 2006.

## ACTIVITIES DURING THE REPORTING PERIOD

During this reporting period, major activities focused on reviewing existing acceptable use policies and implementing recent legislation that required Internet safety to be taught as part of the instructional program. To that end, the Department of Education completed these specific tasks:

### Review of Existing Acceptable Use Policies—January 1, 2005 to December 1, 2006

- Reviewed the acceptable use policies (AUP) of all school divisions
- Focused on the inclusion of recommended components in the policies
- Reviewed each school division AUP in conjunction with division's educational technology plan
- Arranged appropriate technical assistance for each division with an AUP deemed inadequate

### Planning for the Implementation of § 22.1-70.2 Legislation

- Focused on both the risks and benefits of Internet use
- Identified the role of each stakeholder (e.g., children, parents, teachers, counselors, resource officers, administrators, other adults) in Internet safety
- Concentrated on integrating Internet safety into curriculum and instruction
- Emphasized increased awareness of appropriate related resources currently available

### Development of the *Guidelines and Resources for Internet Safety in Schools*

- Met with various experts and organizations, attended related state and national meetings, and reviewed research and resources available in print and electronic formats to understand the issues more thoroughly
- Developed a draft for review by the Department's policy, instruction, and technology staff
- Incorporated internal feedback
- Shared a second draft with external reviewers
- Incorporated external feedback and shared the revised version with representatives of various stakeholders, nonprofit organizations, and relevant companies
- Incorporated feedback and prepared a guidance document for Department approval

### Key Points of the *Guidelines* Document

- Demonstrates how to use the Internet as an educational tool and ensure the personal safety of the user
- Promotes the integration of Internet safety across the curriculum and provides Web links to sample lessons and activities provided in the document
- Connects the existing Standards of Learning—Social and Ethical Issues—and the new guidelines for Internet safety

- Presents issues and information to each group of stakeholders

#### Dissemination of Guidelines

- April 2006, Dr. Patricia I. Wright, acting superintendent of public instruction, notified school division superintendents of the legislative requirement to integrate a student Internet safety component within a division's acceptable Internet use policy (see Appendix B—Superintendent's Memo No. 15, April 21, 2006).
- October 2006, Dr. Billy K. Cannaday, Jr., superintendent of public instruction, issued a memorandum to disseminate the Department's guidelines and related resources on Internet safety in schools (see Appendix C—Superintendent's Memo No. 210, October 6, 2006).
- October 6, 2006, the Department released *Guidelines and Resources for Internet Safety in Schools* in printed format and on its Web site:  
<http://www.doe.virginia.gov/VDOE/Technology/OET/internet-safety-guidelines.shtml>.
- October 10, 2006, the Department sent to each division superintendent a printed copy of the *Guidelines and Resources for Internet Safety in Schools* (see Appendix D for the cover letter).
- October 25, 2006, the Department announced that the Bedford County Sheriff's Office, under the leadership of Sheriff Michael Brown, had arranged for Virginia schools to access NetSmartz materials free of charge from the National Center for Missing and Exploited Children and a CD of NetSmartz materials (see Appendix E for a copy of the letter).
- The Department revised *Acceptable Use Policies: A Handbook* to reflect the new legislation on Internet safety including the following key points (see <http://www.doe.virginia.gov/VDOE/Technology/AUP/home.shtml>):
  - Division Superintendents currently are required to submit an updated acceptable use policy biennially:  
<http://www.doe.virginia.gov/VDOE/suptsmemos/2001/inf153.html>.
  - In fall 2006, the Department of Education's Office of Educational Technology reviewed all existing acceptable use policies on file from school divisions.

#### Refine Compliance and Reporting Procedures

- The Department will issue companion documents to help schools integrate Internet safety within curriculum and instruction.
- In December 2006, the Department will collect input from school divisions regarding criteria for compliance with the guidelines for Internet safety.
- In January 2007, the Department will release a rubric to determine division compliance with the guidelines for Internet safety.
- Each division will revise its acceptable use policy to include an Internet safety component in schools in 2006-2007.
- By June 1, 2007, each division will develop an Internet safety policy and program, which must be aligned with the state guidelines and incorporated into the AUP.

- Each division must confirm the completion of this work to the Office of Educational Technology and include a copy of the Internet safety policy and description of the program.
- During 2007-2008, each division will review the progress and effectiveness of its Internet safety policy and the implementation of its Internet safety program.
- By September 1, 2008, each division must submit to the Department a copy of the division's revised acceptable use policy, including the Internet safety policy and a statement that the policy and Internet safety program have been reviewed by a representative group of key stakeholders.
- In September 2008, the Department will review division policies and provide technical assistance to divisions not in compliance.



Appendix A. *Code of Virginia*, Section 22.1-70.2

§ **22.1-70.2**. Acceptable Internet use policies for public and private schools.

A. Every two years, each division superintendent shall file with the Superintendent of Public Instruction an acceptable use policy, approved by the local school board, for the Internet. At a minimum, the policy shall contain provisions that (i) are designed to prohibit use by division employees and students of the division's computer equipment and communications services for sending, receiving, viewing, or downloading illegal material via the Internet; (ii) seek to prevent access by students to material that the school division deems to be harmful to juveniles as defined in § **18.2-390**; (iii) select a technology for the division's computers having Internet access to filter or block Internet access through such computers to child pornography as set out in § **18.2-374.1:1** and obscenity as defined in § 18.2-372; (iv) establish appropriate measures to be taken against persons who violate the policy; and (v) include a component on Internet safety for students that is integrated in a division's instructional program. The policy may include such other terms, conditions, and requirements as deemed appropriate, such as requiring written parental authorization for Internet use by juveniles or differentiating acceptable uses among elementary, middle, and high school students.

B. The superintendent shall take such steps as he deems appropriate to implement and enforce the division's policy.

C. On or before December 1, 2000, and biennially thereafter, the Superintendent of Public Instruction shall submit a report to the Chairmen of the House Committee on Education, the House Committee on Science and Technology, and the Senate Committee on Education and Health which summarizes the acceptable use policies filed with the Superintendent pursuant to this section and the status thereof.

D. In addition to the foregoing requirements regarding public school Internet use policies, the principal or other chief administrator of any private school that satisfies the compulsory school attendance law pursuant to § **22.1-254** and accepts federal funds for Internet access shall select a technology for its computers having Internet access to filter or block Internet access through such computers to child pornography as set out in § **18.2-374.1:1** and obscenity as defined in § 18.2-372.

E. The Superintendent of Public Instruction shall issue guidelines to school divisions regarding instructional programs related to Internet safety.

(1999, c. 64; 2001, c. 269; 2006, cc. 52, 474.)

Appendix B. SUPTS. MEMO NO. 15, April 21, 2006

COMMONWEALTH OF VIRGINIA  
DEPARTMENT OF EDUCATION  
P.O. BOX 2120  
RICHMOND, VIRGINIA 23218-2120

SUPTS. MEMO NO.15  
April 21, 2006

ADMINISTRATIVE

TO: Division Superintendents

FROM: Patricia I. Wright  
Acting Superintendent of Public Instruction

SUBJECT: Internet Safety Instruction in Schools

Legislation approved by the 2006 General Assembly and signed by Governor Kaine adds a requirement to the acceptable Internet use policies developed by the division superintendents that such policies include a component on Internet safety for students. This legislation can be found at the following address:

<http://leg1.state.va.us/cgi-bin/legp504.exe?061+ful+CHAP0052+pdf>

The Internet safety component must be integrated within a division's instructional program. This legislation also requires the Superintendent of Public Instruction to issue guidelines to school divisions regarding instructional programs related to Internet safety.

The purpose of this memorandum is to communicate to you the provisions of this important piece of legislation and to encourage you to share with this department any well-established resources used by your division to ensure the safe use of the Internet by students in your schools. Since the department is currently in the early stages of drafting guidelines related to this legislation, this is an opportune time to gather resource information from school divisions for inclusion in the guidelines. It is the department's intent to draft guidelines over the summer for release prior to the beginning of the 2006-2007 school year.

Should you have information that you would like to have considered during guideline development, please provide the following to the department:

- ✓ A brief description of the Internet safety program currently used within the division and the length of time that the program has been in place.
- ✓ All applicable public Web site addresses where such information is available.

Please send all information no later than May 26, 2006, to Charlie Makela, School Library Media Programs & Research Services specialist, at [Charlie.Makela@doe.virginia.gov](mailto:Charlie.Makela@doe.virginia.gov). You may also contact Ms. Makela directly at (804) 786-9412, should you have any questions.

PIW/ADW/fmc

Appendix C. SUPTS. MEMO NO. 210, October 6, 2006

COMMONWEALTH OF VIRGINIA  
DEPARTMENT OF EDUCATION  
P.O. BOX 2120  
RICHMOND, VIRGINIA 23218-2120

SUPTS. MEMO NO. 210  
October 6, 2006

INFORMATIONAL

TO: Division Superintendents

FROM: Billy K. Cannaday, Jr.  
Superintendent of Public Instruction

SUBJECT: Guidelines for Internet Safety Instruction in Schools

Legislation approved by the 2006 General Assembly and signed by Governor Kaine requires the addition of a student Internet safety component to division Acceptable Use Policies (AUP). This legislation can be found at the following address:

<http://leg1.state.va.us/cgi-bin/legp504.exe?061+ful+CHAP0052+pdf>.

The legislation requires Internet safety to be integrated within each school division's academic instructional program. It also directs the Superintendent of Public Instruction to issue guidelines regarding Internet safety instruction.

The purpose of this memorandum is to disseminate the department's guidelines and related resources to implement this legislation. The document, *Guidelines and Resources for Internet Safety in Schools*, is available in PDF format for school divisions to print and duplicate as needed. The document can be accessed from the department's Web page:

<http://www.doe.virginia.gov/VDOE/Technology/OET/internet-safety-guidelines.shtml>. At a later date, the department will issue companion documents related to the integration of Internet safety within curriculum and instruction.

Division Superintendents currently are required to submit an updated AUP biennially: <http://www.doe.virginia.gov/VDOE/suptsmemos/2001/inf153.html>. The Internet safety component must be included in the September 2008 submission. During school year 2006-2007, the division's Internet safety policy should be developed, aligned with the state guidelines, and incorporated into the AUP. By June 1, 2007, each division must send a statement to the director of the Office of Educational Technology confirming the completion of this work. During school year 2007-2008, the division will review the progress and effectiveness of its Internet safety policy and the implementation of its Internet safety program. By September 1, 2008, each division must submit to the department a copy of the AUP, including the Internet safety policy, and a statement that

the AUP and Internet safety program have been reviewed. The department will review division policies for compliance in September 2008.

The Bedford County (Va.) Sheriff's Office, under the leadership of Sheriff Michael J. Brown and through the Operation Blue Ridge Thunder Program, has arranged for Virginia school divisions to access NetSmartz materials from the National Center for Missing & Exploited Children. These materials will help divisions implement Internet safety programs. Downloadable versions of this material are available on the NetSmartz's Web page: <http://www.netsmartz.org/education/>.

Delegate Fralin has proposed House Joint Resolution No. 5135 designating September—in 2006 and each succeeding year—as Internet Safety Month in Virginia. To review this joint resolution, see <http://leg1.state.va.us/cgi-bin/legp504.exe?062+ful+HJ5135>.

Questions about the department's guidelines should be addressed to Dr. Tammy McGraw, director of the Office of Educational Technology, at (804) 225-4429 or at [tammy.mcgraw@doe.virginia.gov](mailto:tammy.mcgraw@doe.virginia.gov).

BKCJr/TMM/slm

Appendix D. October 10, 2006, Letter to Division Superintendents



COMMONWEALTH of VIRGINIA

DEPARTMENT OF EDUCATION

P.O. BOX 2120

RICHMOND, VA 23218-2120

October 10, 2006

Mr. Richard Bull, Jr.  
Superintendent  
Accomack County Public Schools  
P. O. Box 330  
Accomac, VA 23301

Dear Mr. Bull:

I am pleased to share with you *Guidelines and Resources for Internet Safety in Schools* which was released on October 6, 2006. Please refer to Superintendent's Memo No. 210 for additional information about the guidelines. You may also access this document electronically at <http://www.doe.virginia.gov/VDOE/Technology/OET/internet-safety-guidelines.shtml>. I hope you will find it informative and useful in planning and implementing your Internet safety program.

Please feel free to contact me if you have questions or if you would like to provide feedback regarding this document.

Sincerely,

Tammy M. McGraw, Ed.D.  
Director  
Office of Educational Technology

Enclosure

Appendix E. October 25, 2006, Letter to Division Superintendents



COMMONWEALTH of VIRGINIA

DEPARTMENT OF EDUCATION

P.O. BOX 2120  
RICHMOND, VA 23218-2120

October 25, 2006

Mr. W. Richard Bull, Jr.  
Superintendent  
Accomack County Public Schools  
P.O. Box 330  
Accomac, VA 23301

Dear Mr. Bull:

In Superintendent's Memo No. 210, it was announced that the Bedford County Sheriff's Office, under the leadership of Sheriff Michael J. Brown and through Operation Blue Ridge Thunder, has arranged for Virginia school divisions to access NetSmartz materials from the National Center for Missing & Exploited Children. These materials are free of charge and available for download at <http://www.netsmartz.org/education/>.

To further support this effort, Sheriff Brown has provided the enclosed CD-ROMs from the Internet Crimes Against Children Task Force and NetSmartz to assist you in addressing Internet safety in your schools. The CD-ROMs contain information appropriate for grades K-12 as well as for parents and members of the community. To ensure that the presentations are used effectively, Sheriff Brown has extended an offer to provide training to local divisions upon request. Please contact Joyce Faye White, technology specialist in the Office of Educational Technology, at (804) 225-2958 should you wish to inquire about the training options available.

The Office of Educational Technology is committed to assisting school divisions in implementing an effective Internet safety program. Please let me know how we can help in your division.

Sincerely,

Tammy M. McGraw, Ed.D.  
Director of Educational Technology

cc: Dr. Billy K. Cannaday, Jr.  
Sheriff Michael J. Brown