

Point Rock Alternative – U.S.D. 218

# **Point Rock Alternative**

## **Unified School District #218**



**PO Box 999**  
**542 Morton Street**  
**Elkhart, KS 67950**  
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**2010/11**

Point Rock Alternative – U.S.D. 218

***“Expand Your Horizon”***

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**Point Rock Alternative is a school within the USD 218 school system. All students enrolled in PRA are expected to abide by the policies contained in this handbook, as well as the USD 218 District Student Handbook, included at the end of this publication.**

### WELCOME

The administration and staff would like to take this opportunity to welcome you. The information in this handbook has been prepared to help you succeed in U.S.D. 218 Point Rock Alternative and is in compliance with Board of Education policies. Additional copies of this handbook are available in the Point Rock Alternative classroom.

We are looking forward to assisting you in fulfilling your educational goals. We want to make your time in the program as successful and educationally challenging, as possible. The support staff, teachers, counselors, and administrators are all here to assist you with your education. We welcome the opportunity to help you and are always open to any suggestions you might have.

### POINT ROCK ALTERNATIVE MISSION STATEMENT

The mission of Point Rock Alternative is to provide adult learners and at risk students the opportunity to earn a high school diploma in a compassionate, flexible, non-traditional learning environment.

### PRA MAILING ADDRESS

Point Rock Alternative  
PO Box 999  
Elkhart, KS 67950

### PRA HOURS

Monday – Thursday ----- 8:00 am – 8:00 pm  
Friday ----- 8:00 am – 4:00 pm

### TELEPHONE DIRECTORY

Nancy Crowell, USD 218 Superintendent----- 697-2195  
Rex Richardson, PRA Principal ----- 697-2193  
Antonia Villa, PRA Director ----- 697-1253  
Corinna Carrillo, PRA Teacher----- 697-1253  
School Violence Hotline----- 877-626-8203

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### **NOTICE OF NONDISCRIMINATION**

Applicants for admission and employment, students, employees, sources of referral of applicants for admission and employment, and all unions or professional organizations holding collective bargaining or professional agreements with Unified School District 218 are hereby notified that this institution does not discriminate on the basis of race, color, national origin, sex, age, or handicap in admission or access to, or treatment, or employment in, its programs and activities. Any person having inquiries concerning Unified School District 218 compliance with the regulations in implementing Title VI, Title IX, or Section 504 is directed to contact the Superintendent, PO Box 999, Elkhart, KS 67950, 620-697-2195. The superintendent has been designated by Unified School District #218 to coordinate the institution's efforts to comply with the regulations implementing Title VI, Title IX, and Section 504. Any person may also contact the Assistant Secretary for Civil Rights, U.S. Department of Education, regarding the institution's compliance with the regulations implementing Title VI, Title IX, or Section 504.

### **PLACEMENT AND REVIEW PROCESS FOR STUDENTS UNDER THE AGE OF 18**

Students *under the age of 18* being considered for placement into Point Rock Alternative will be required to go through a placement and review process. The Review Team will consist of the Point Rock Alternative Principal, High School Principal, High School Counselor, PRA teacher, and appointed high school representatives. (The Superintendent serves as a non-voting member)

The following will be considered criteria in placement decisions:

- Student's current enrollment status (i.e. currently enrolled, under suspension, court jurisdiction, drop-out, etc.)
- Number of high school credits needed to graduate
- Student academic performance
- Student attendance habits
- Student behavior
- Student attitude

Upon review of the placement criteria, the Review committee will make a decision to place the student into the Elkhart High School or Point Rock Alternative.

Any student who is placed into Point Rock Alternative will be evaluated monthly. Reviews may occur more often, if necessary. Placement criteria will be used in the review process. If a student is performing satisfactorily in all areas, he or she may be placed in Elkhart High School.

All placement decisions are subject to the approval of the Superintendent.

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### **CONTRACTUAL CRITERIA FOR STUDENTS UNDER THE AGE OF 18**

- Attendance must be prompt and complete. Individual student contractual attendance requirements will be set by the principal.
- Students must follow the set rules and directions from the teacher while in attendance.
- Students must complete all regular class assignments while in attendance and have teachers sign off on their assignment logs.
- Students will be evaluated monthly using the PRA evaluation rubric. These will be mailed home monthly with progress reports.
- USD #218 discipline policies apply while the student is attending the Point Rock Alternative.
- Failure to complete work or cooperate with the teacher may result in disciplinary action.
- The teacher and/or principal will set all timelines for completion of work.
- Students will be required to take all state assessments at their grade level.
- Students must attend from 8:00 am – 3:30 pm.
- **Students are required to attend school for 6.5 hours a day. If a student shows up late, then they will stay until their time is met.**
- **If a student takes a book home and completes the entire book off school campus, the student will be required to take a test over the entire book when the student turns in all assignments and the book.**

### **ADMISSION TO PRA FOR STUDENTS OVER THE AGE OF 18**

In order for a student who is *over 18 years of age* to be considered for admission into Point Rock Alternative, his or her high school class must have already graduated from high school. To remain in the program, each student must agree to abide by the guidelines set forth in this handbook, student contract obligations (if applicable), and the policies set by the Board of Education of USD #218.

### **CONTRACTUAL CRITERIA FOR STUDENTS OVER THE AGE OF 18**

Adult students are encouraged to attend school as often as possible. Students will be contacted every 30 days and encouraged to come to school and/or turn in assignments. Students receive credit only when coursework is complete. Graduation requirements may change from year to year, so students are encouraged to make consistent progress in their classes to ensure additional classes will not be required for graduation.

### **ATTENDANCE POLICY**

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PRA students *over the age of 18* are exempt from the adopted school attendance policy unless stipulated in a student contract. **Students under the age of 18 sign an attendance contract to be in attendance from 8:00 – 3:30 pm daily.** Kansas truancy laws are enforced. Students *under the age of 18* must notify the school if he/she is going to be absent. Failure to do so will result in the absence being classified as unexcused. The school can also require a student to present a note from a physician before allowing him/her back in school.

### **CHANGE OF ADDRESS AND/OR TELEPHONE NUMBER**

Please keep the office informed of any change in your address and/or phone number during the school year. We need this information in case of emergencies.

### **CLOSED LUNCH PERIOD**

School aged students will remain on school grounds during the lunch break. A student may leave only if the parent/guardian comes to school and signs his/her child out for the lunch period. **Students need to make prior arrangements for lunch. Students will not be allowed to use the school telephone to call home to make arrangements. Parents/guardians are the only people who are allowed to sign a student out for lunch.**

### **SCHOOL FOOD SERVICE**

Breakfast and lunches are available for students enrolled in Point Rock Alternative. Fees are paid at the office. Breakfast foods are available in the kitchen. Upon arriving at school, students need to sign up for lunch. Lunch is delivered at 11:30 each day. Students will complete a free/reduced lunch application upon enrollment.

### **SCHOOL DRESS**

Elkhart Schools recognizes that, within certain limits, each student's mode of dress and grooming is a manifestation of personal style and individual preference. The school will not interfere with the ability of students to make decisions regarding their appearance except when their choices affect the learning environment of the school or the health and safety of others.

Students wearing baggy jeans will be required to wear a belt to keep their underpants from showing. Tank tops must be covered by a sleeved shirt.

The teachers, director and principal have the authority to enforce appropriate dress standards. Inappropriate dress can have disciplinary consequences.

### **PERSONAL DISPLAY OF AFFECTION DISPLAY OF AFFECTION**

Students are expected to exercise common sense in public displays of affection. Any display of affection other than holding hands is out of place in school. The faculty has the right to correct this behavior and students will comply with courtesy.

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### CELL PHONE POLICY

Cell phone use is prohibited at Point Rock Alternative. Students are advised to leave cell phones at home or in their cars. If a student has to bring a cell phone to school, it should be turned over to the director/principal until the end of the school day. **When a student is caught with a cell phone, the cell phone will be confiscated and the following consequences will be imposed:**

- **1<sup>st</sup> offense:** Students may pick up their cell phone at the end of the school day.
- **2<sup>nd</sup> offense:** Parents must meet with the student and director/principal to pick up their child's phone.
- **3<sup>rd</sup> offense:** The cell phone will remain the property of the school until the end of the semester, at which time the parent may meet with the student and director/principal to pick up the phone.
- **Additional offenses** may result in the phone being confiscated until the end of the school year with other possible disciplinary actions taken.
- The student will not be allowed to remove the memory card or battery when the phone is confiscated.

### COMPUTER USE

To make the computers available to the students who need them and to keep the machines in operation, the following rules will be enforced:

1. No student is to use the computers without a teacher present.
2. No student can use a computer until he/she has signed and returned the Acceptable Use Agreement.

See the attached acceptable use of computers and networks policy. Please sign and return the Acceptable Use of Computers and Networks Agreement form attached to the back of this handbook.

### DRUG AND ALCOHOL POLICY

All students have a right to attend school in an environment conducive to learning. The use of alcohol and other illegal drugs, or the improper use of drugs, is recognized to be extremely harmful to the individual who uses and to those around that individual. A student cannot learn to his/her full potential while under the influence of these substances. All students have a right to be educated in a drug-free environment. Therefore, the use of all drugs, alcohol, and tobacco is forbidden on school property or at school events at all times.

### SCHOOL VIOLENCE HOT LINE

The Kansas State Highway Patrol has set up a "STOP SCHOOL VIOLENCE" anonymous toll-free hotline number: 1-877-626-8203. Students who are frustrated and wanting to vent their feelings need to contact the above number or see their school principal or counselor.

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### **SEARCH AND SEIZURE**

Students have limited control over their work areas or any other designated assigned areas in the school. These areas are the property of the school district; therefore, school officials have the right, upon “reasonable grounds,” to search and seize as necessary.

### **TEACHER AUTHORITY**

All Elkhart students are under the supervision and authority of any faculty member (including classified staff) while on school property or at a school-sponsored activity. Students will be respectful and attentive to all faculty and staff at all times.

### **TEXTBOOKS**

Textbooks will be issued to you by your teacher. These books are your responsibility and must be returned to the teacher when you complete the Point Rock Academy class or when you withdraw from the program. You are required to pay for lost books; loss of books due to theft or other circumstances will not be accepted as an excuse for nonpayment. If the lost book is later found, a refund will be issued to you. You are also responsible for damages to the books and will be assessed damage fees.

### **ACCIDENTS AND ILLNESS**

All accidents should be reported immediately to the instructor, who in turn will report to the building principal.

### **EXAMINATION OF RECORDS**

By federal law, adult students have control of their own school records. Original records will not leave the control of the office under any circumstance. Access to student records will be strictly controlled by the office and administration. Requests for transcripts should be made to the principal. Only you can request to examine your records, have records transferred to other schools, or have copies of transcripts made.

### **STUDENT PRIVACY RIGHTS**

District employees may have ongoing opportunities to access confidential information or records that are required to be kept confidential. Much of the student information processed by district employees is confidential, and state and federal law limits its release; for example, driver record and vehicle registration information, confidential student records, criminal history background check information, information obtained pursuant to Social and Rehabilitation Services (SRS) interventions, social security number information, and professional misconduct background checks.

Employees are prohibited from divulging information contained in the student records and files of the district, except to other, authorized employees who may need such information for an educational purpose in connection with

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their duties and to authorized persons or agencies only in accordance with laws, district policies, and administrative rules.

If an employee is approached to provide information inappropriately, the employee must refuse to release the requested information unless authorized by his/her supervisor or otherwise be required to release the information under law or court order. In all cases, the employee's immediate supervisor shall immediately be informed, of any requests.

Any employee who inappropriately releases information, or uses confidential information obtained in the course of his/her employment with the district will be disciplined in accordance with board policies, the negotiated agreement, and district procedures. Disciplinary action may include penalties, up to, and including, termination.

### GRADE CLASSIFICATIONS

Students will be classified at grade levels according to the number of credits they have earned.

Freshmen .....	0-5 credits
Sophomores .....	6-11 credits
Juniors .....	12-17 credits
Seniors .....	18-23 credits
Non-Graded .....	<i>Students over the age of 18</i>

### GRADUATION REQUIREMENTS

USD 218 and the Kansas State Department of Education have established that a student must have a total of 23 credits to graduate from Point Rock Alternative.

1. 4 units of English or Language Arts
2. 3 units of Math
3. 3 units of Science (including 1 lab course)  
(1 unit Biology / 1 unit Physical Science or Chemistry / 1 unit science elective)
4. 1 unit of Physical Education
5. 3 units of Social Studies  
(1 unit American Government/1 unit American History/1 unit of Social Science elective (*graduating classes of 2011 and beyond must take World History*))
6. 1 unit of Computer Technology
7. 1 unit of Life Adjustments
8. 1 unit of Fine Arts
9. 6 units of electives

Credit will be earned in one-half unit increments. Two full semesters equal one full credit. College classes taken during the school day may be taken for credit toward graduation. **To earn credit, a student must complete the class with a grade of no less than 80 percent.**

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### GRADING SCALE

100%	A+
95-99%	A
90-94%	A-
88-89%	B+
85-87%	B
80-84%	B-
79 or below:	No credit will be given.

### HONOR ROLL

Point Rock Academy students will not be considered part of Elkhart High School's honor roll and will not be eligible for academic lettering or awards.

### SCHOOL DISCIPLINE

School discipline is the guidance of conduct of students in a way that permits the orderly and efficient operation of the school to ensure the maintenance of a scholarly and disciplined atmosphere.

#### A. Student Rights and Due Process

Each student is guaranteed the preservation of his/her rights in any disciplinary matter. This includes the administration ensuring that the student will be informed of the charges against him/her and will have the opportunity to hear and react to the evidence and witnesses against him/her. Respect, fairness and recognition of responsibilities for both parties must prevail in all relations. Penalties are according to the disciplinary code.

#### B. Definitions of Breach of Discipline

Breach of discipline is any conduct of students that interferes with the maintenance of school discipline. Acts of behavior which tend to conflict with the educational program or which are antagonistic to the welfare of other students cannot be tolerated. Breach of discipline may include, without limitations:

1. Temper tantrums that disrupt the learning environment
2. Bully type behavior.
3. Open defiance involving refusal to conform to rules and regulations, profane or disrespectful language, loud or boisterous conduct which disturbs the orderly, efficient, and disciplined atmosphere and operation of school, refusal to comply with a request or directions of teachers, administrators or other school personnel, including requests to identify oneself or similar actions.
4. Willful disobedience
5. Continual breaking of rules
6. A physical attack or threat of physical attack
7. Personal misbehavior
8. Display or bigotry or intolerance
9. Criminal behavior or students or non-students
10. Gang Activity

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### **C. Scope of School Control**

Areas in which disciplinary control of students are to be exercised are as follows:

1. While on school premises
2. While in proximity of school premises. Conduct of students away from school grounds is subject to school discipline if it directly affects the good order, efficiency, management, and of the school.
3. While traveling to and from activity events.
4. While engaged in school related activities.

### **D. Recommended Actions in Handling Breaches of Discipline**

The following possible actions are authorized in cases of breach of school discipline regulations: (Counseling/intervention strategies will be used at all places concerning discipline)

1. Reprimand, verbal or written
2. Detention, before and/or after school (one day notification given to student).
3. Denial of privileges, exclusion from class and/or extracurricular activities.
4. Assignments to a supervised area.
5. In-school detention
6. Saturday school
7. Out of school suspension.
  - a. Daily assignments will be made available each morning and may be picked up in the school office by a parent or designee. All assignments will be due upon return from the period of suspension.
8. Placed on probation with a written contract.
9. Expulsion from school.

### **E. Authority**

Teachers and administrators must have authority to use reasonable and appropriate means necessary to prevent breach of discipline or to stop a continuing breach of discipline. Factors to be considered are age, previous history, maturity of student, seriousness of the action requiring control, the nature of the danger to the student or the nature of danger to others. Teachers may use moderate physical force to restrain a student or break up any physical disruption between students or in self-defense,

### **F. Ineligibility for Student Activities**

1. Students suspended from school will not attend or participate in any school-sponsored activities during the suspension except with approval from the building principal.
2. All other violations of applicable policies may result in the student being declared ineligible for attendance or participation in any activities. The athletic director, head coaches or sponsors with prior approval of the building principal, may declare ineligibility. The superintendent or the building principal may also declare ineligibility.

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### **G. Point Rock Alternative High School Students: Consequences for not meeting daily goals:**

1. Student will meet with the teacher to discuss why the goal was not met.
  - a. The student will be removed from their assigned seat and be assigned to sit in an area away from other students until the goal from the previous day and current goal is met.
2. Second time goal is not met:
  - a. Student will meet with the teacher and director to discuss why the goal was not met.
  - b. The student then will sit away from other students for three days making sure to meet the goal from the day before as well and the goals for the next three days.
3. Third time the goal is not met
  - a. Parents will be notified after the 3<sup>rd</sup> day the student not meeting his/her goal. The parents will also be notified that the student will be staying after school.
  - b. Student will meet with the teacher and director to discuss why the goal was not met, and
  - c. The will be removed from the classroom for one day and put in ISS for one day making sure to meet the daily goal for that day. The student's lunch will be brought to him/her and he/she will have adequate bathroom breaks.

### **ACTIVITIES AND ATHLETIC PARTICIPATION**

Point Rock Academy students will not be eligible to participate in regular Elkhart High School activities or athletics. This policy includes all dances, including prom\*, and the regular high school graduation ceremony. Students who qualify may attend prom as a guest of an eligible regular Elkhart High School student.

### **USD #218 Student and Guest Technology Use Handbook**

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New technology is always on the horizon. An attempt to identify all technologies and list possible misuses of them is impossible. Therefore, throughout this technology handbook, the term “technology” will be used to reference all existing and new devices or systems that are now used or that will be invented in the future. Such technologies now include computers, handheld devices, cell phones, ipods, and digital cameras. What is to come is unknown. The policies and procedures in this handbook all apply to any form of technology whether it is specifically mentioned or not.

As part of their academic work for specific classes, or for general interest research, students may have access to internal and external computer networks. The external computer network is often called the “Internet.” While reasonable efforts will be made to provide supervision when students are using computer networks, neither school staff, nor the district can guarantee the accuracy or appropriateness of information which may be accessed by

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students. Parents who are concerned about this situation should discuss the issues with teacher or the principal/designee.

Students shall have no expectation of privacy when using district e-mail or computer systems. E-mail messages shall be used only for approved educational purposes. Students must use appropriate language in all messages. Students are expected to use the system following guidelines approved by teachers or the administration.

Any e-mail or computer application or information in district computers or computer systems is subject to monitoring by the staff and/or administration. The school retains the right to duplicate any information created by students in a computer system or on any individual computer. Students who violate these rules or any other classroom rules relating to computer use, are subject to disciplinary action.

Computer materials or devices created as part of any assigned district responsibility or classroom activity undertaken on school time shall be the property of the board. The board's rules governing ownership of employee or student-produced computer materials are on file with the clerk and are available upon request.

Students shall not install software on district computers or computer systems.

Personal computers and other personal technologies should not be brought to school. Other guidelines for the use of technologies may be listed in individual school handbooks and students must follow those as well.

Children's Internet Protection Act– The district shall implement the Children's Internet Protection Act (CIPA). The superintendent shall develop a plan to implement the Children's Internet Protection Act. This plan shall be on file with the board clerk and in each school office with Internet access, and copies shall be available. The superintendent shall ensure compliance with CIPA by completing Federal communication Commission forms as required.

### **DISCIPLINARY ACTION RELATED TO MISUSE OF TECHNOLOGY**

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Student failure to abide by the Acceptable Use Policy may result in disciplinary action following disciplinary procedures established in the district with the following qualifications:

1. Student misuse of the system is defined in the Acceptable Use Policy. The definitions therein are not exclusive. If a student is clever enough to invent a new way of misusing technology, and it is reasonable that the student would know what he/she is doing is improper, the student may nonetheless be disciplined.
2. Student use of the district's technology is a privilege granted to students by the district, not a legal right. Since it is a privilege, the district may restrict any student's use of technology or the net system if the student abuses that privilege.

#### **Disciplinary Action**

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The following levels of discipline will be enforced by teachers and the administration. Any level of discipline may be selected, depending on the individual situation and the severity of the violation.

**Level 1** – In situations where the student is suspected to have misused the system, the instructor shall discuss the matter with student, informing the student of what the student is suspected to have done, hear the student’s side of the story, and institute action deemed appropriate by the teacher. Parents will be notified.

**Level 2** – In situations where there have been repeated infractions or where the student has engaged in extreme misuse of the system, which may or may not directly result in suspension or expulsion, the principal may revoke technology privileges for a period of time appropriate for the situation.

**Level 3** – In extreme situations, which may or may not directly result in suspension or expulsion, the Superintendent or designee may take school disciplinary action(s) and/or appropriate legal action(s). Access privileges may be revoked.

**Suspension or Expulsion.** If the student has violated the Acceptable Use Agreement in a way that leads to suspension or expulsion, discipline shall be administered, appealed, and controlled by the Board Policy on discipline [JDD]. In all other situations, the above procedures apply.

**Appeals.** Except in situations where the discipline administered was suspension or expulsion, students or parents may appeal any decision at the district level of appeal under this regulation by using the district’s Uniform Complaint Procedures, [JCCA, JCE, JE-R, JCE-R]. Where the student is suspended or expelled, appeal procedures based on the district guidelines [JDD-R] will apply.

### **“NETIQUETTE” ON THE INTERNET**

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All users of the USD #218 technology and networks are expected to abide by the generally accepted rules of network etiquette (netiquette). Informal rules of behavior have evolved for the use of and communication on the Internet and other on-line services. These rules of behavior include, but are not limited to, the following:

1. Be polite. Do not write or send abusive messages to others.
2. Use appropriate language. Do not swear, use vulgarity, or any inappropriate language.
3. Do not reveal your personal address or phone numbers or those of others.
4. Note that electronic mail (e-mail) is not guaranteed to be private. People who operate the system do have access to mail. Messages relating to or in support of illegal activities may be reported to the authorities.
5. All communications and information accessible via the network should be assumed to be private property which is subject to copyright laws.
6. Do not place unlawful information on any network system.
7. Keep paragraphs and messages short and to the point. Focus on one subject per message.

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8. Do not use the network in such a way that would disrupt the use of the network by other users (i.e., downloading very large files during prime time, sending mass e-mail messages).
9. Adult patrons, visitors, or other guests allowed network access are serving as ambassadors and representatives of the district. Conduct and message content on the network should positively reflect on the district's reputation.

### **POLICY FOR ACCEPTABLE USE OF TECHNOLOGY AND NETWORKS**

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The following policy for acceptable use of technology and networks (including e-mail, all software, video and digital equipment, and the Internet) shall apply to all district administrators, faculty, staff, and students.

1. The user shall not erase, change, rename, or make unusable anyone's computer files, programs, or disks (except for authorized staff members).
2. The user shall not let other persons use his/her name, logon, password, or files for any reason (except for authorized staff members).
3. The user shall not use or try to discover another's password or in any way access another person's e-mail or other files (except for authorized staff members).
4. The user shall not change any file that does not belong to the user.
5. The user shall not falsify his identity to others.
6. The user shall not use district school technology or networks for any non-instructional or non-administrative purpose (i.e., games or activities for personal use).
7. The user shall not use technology for unlawful purposes, such as illegal copying or installation of software.
8. The user shall not copy, change, or transfer any software or documentation provided by district schools, teachers, or other students without permission.
9. The user shall not write, produce, generate, copy, propagate, or attempt to introduce any computer code designed to self-replicate, damage, or otherwise hinder the performance of any computer's memory, file system, or software. Such software is often called a bug, virus, Trojan Horse, or similar name.
10. The user shall not deliberately use technology to annoy or harass others with language, images, innuendoes, or threats. The user shall not deliberately access, send or create any obscene or objectionable information, language, or images.
11. The user shall not intentionally damage the technology, the network system, damage information belonging to others, misuse system resources, or allow others to misuse system software.
12. The user shall not tamper with computers, networks, printers, or other associated equipment, except as directed by the teacher.

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13. The user shall not circumvent security measures on school or remote computers or networks.
14. The user desiring to take home technology equipment (hardware or software) must first have the parental permission form signed. Any take-home technology shall be used in the same manner as if it were at school. Technology equipment will only be checked out at the end of the school day and must be returned before school begins the next morning.
15. All information on any school or district network is considered property of USD #218 unless specified by law, students and staff shall have no expectation of privacy for any information created, stored, or used on any district computer system.
16. The user shall not use the technology or network in ways that violate federal, state, or local statutes.
17. While resources should be consulted for various assignments, words or ideas cannot be copied directly and they should be properly cited, with credit given to the original authors. Images taken from another source must also be cited properly. (Plagiarism)

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### **KANSAS COMPUTER CRIME LAW**

#### **K.S.A. 21-3755. COMPUTER CRIME; CRIMINAL COMPUTER ACCESS.**

(a) As used in this section, the following words and phrases shall have the meaning respectively ascribed thereto:

(1) **“Access”** means to approach, instruct, communicate with, store data in, retrieve data from, or otherwise make use of any resources of a computer, computer system, or computer network.

(2) **“Computer”** means an electronic device which performs work using programmed instruction and which has one or more of the capabilities of storage, logic, arithmetic, or communication and includes all input, output, processing, storage, software, or communication facilities which are connected or related to such a device in a system or network.

(3) **“Computer Network”** means the interconnection of communication lines, including microwave or other means of electronic communication, with a computer through remote terminals, or a complex consisting of two or more interconnected computers.

(4) **“Computer Program”** means a series of instructions or statements in a form acceptable to a computer which permits the functioning of a computer system in a manner designed to provide appropriate products from such computer systems.

(5) **“Computer Software”** means computer programs, procedures, and associated documentation concerned with the operation of a computer system.

(6) **“Computer System”** means a set of related computer equipment or devices and computer software which may be connected or unconnected.

(7) **“Financial Instrument”** means any check, draft, money order, certificate of deposit, letter of credit, bill of exchange, credit card, debit card, or marketable security.

(8) **“Property”** includes, but is not limited to, financial instruments, information, electronically produced or stored data, supporting documentation, and computer software in either machine or human readable form.

(9) **“Services”** includes, but is not limited to, computer time, data processing and storage functions and other uses of a computer, computer system, or computer network to perform useful work.

(10) **“Supporting Documentation”** includes, but is not limited to, all documentation used in the construction, classification, implementation, use or modification of computer software, computer programs, or data.

#### **COMPUTER CRIME IS:**

(1) Intentionally, and without authorization, gaining or attempting to gain access to and damaging, modifying, altering, destroying, copying, disclosing or taking possession of a computer, computer system, computer network, or any other property.

(2) Using a computer, computer system, computer network or any other property, for the use of devising or executing a scheme or artifice with the intent to defraud or for the purpose of obtaining money, property, services, or

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any other thing of value by means of false or fraudulent pretense or representation;

**OR**

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### **21-3755 (Con't.)**

**(3)** Intentionally exceeding the limits of authorization and damaging, modifying, altering, destroying, copying, disclosing, or taking possession of a computer, computer system, computer network, or any other property.

**(c)(1)** Computer crime which causes a loss of the value of less than \$500 is a **class A nonperson misdemeanor**.

**(2)** Computer crime which causes a loss of the value of at least \$500, but less than \$25,000, is a **severity level 9, nonperson felony**.

**(3)** Computer crime which causes a loss of the value of \$25,000 or more is a **severity level 7, nonperson felony**.

**(d)** In any prosecution from computer crime, it is a defense that the property or services were appropriated openly and avowedly under a claim of title mead in good faith.

**(e)** Criminal computer access is intentionally, fraudulently, and without authorization, gaining or attempting to gain access to any computer, computer system, computer network, or to any computer software, program, documentation, data or property contained in a computer, computer system, or computer network. Criminal computer access is a **class A nonperson misdemeanor**.

**(f)** This section shall be part of, and supplemental to, the Kansas criminal code.

**History:** L. 1985, ch. 108, s 1; L. 1992, ch. 298, s 51; L. 1993, ch. 291, s 93; L. 1994, ch. 291, s 34; July 1.

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### **ACCEPTABLE USE OF TECHNOLOGY AND NETWORKS STUDENT/PARENT/GUARDIAN AGREEMENT**

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In order to make sure that all members of the district community understand and agree to these rules of conduct, the district asks that both student and parent/guardian sign the following:

#### **Acceptable Use of Technology**

I agree not to hold USD #218 Public Schools, or any of its employees, or any of the institutions or networks providing access to networks, responsible for the performance of the system or the content or costs of any material accessed through it.

I have read the terms and conditions for Elkhart Schools' technology use and Internet access. I understand that this free access is designed for educational purposes. However, I also recognize that it is impossible to restrict access to all controversial materials, and I will not hold Elkhart Schools responsible for materials acquired or sent via the network.

- I agree to abide by the Acceptable Use of Technology policies.
- I do NOT agree to abide by the Acceptable Use of Technology policies.  
(Failure to agree to this section will result in the student having no access to district technology.)

#### **District Technology Checkout**

I sign this form as a condition of checking out technology to take home as needed for academic use. I assume responsibility for any damage to and responsibility for, the repair and/or replacement of the technology while it is in my custody. I assume responsibility for any unauthorized use of the technology while it is in my custody and will supervise its use to see that the technology is used only for academic purposes. I will assume responsibility to pay for any damage, repair, and/or replacement for any damage done to district hardware which may result from my use of the technology. I will assume responsibility to pay for any damage, repair, and/or replacement for any damage done to district software which may result from a virus introduced as a result of my use of the technology. I will not add, remove, or copy any programs, software, or information in a manner which may violate copyright laws. I have reviewed the Kansas law included in the acceptable use policy.

- I agree to abide by the District Technology Checkout policy.
- I do NOT agree to abide by the District Technology Checkout policy.  
(Failure to agree to this section will result in the student NOT being allowed to take any form of technology outside of school.)

#### **Release of Material on the Internet**

I understand that USD #218 Elkhart School system is using the Internet as a means to communicate with the public and as a means to share student work

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with a larger audience. I further understand that one or more work products created by my child, i.e., photographs, pictures, images, written works, video tapes, etc. may be used on the district's computer network or networks.

Use of any of these images or work products, like other student record, requires the release of the parent or guardian (or student 18 years of age or older) before they can be viewed on a computer network open to the public.

I hereby give my consent to, and authorize publication on the district computer system of any work product as noted above, made by my child, or publication of any school photograph in which my child may appear. I realize any person or persons may view the web site on which my child or my child's work product may appear. By signing this form, I agree to release and forever discharge Elkhart school, its agents, servants and employees, members of the USD #218 School Board and its members, from any and all claims, demands, losses, damages, costs, expenses, and attorney's fees growing out of, caused by, or arising in any manner out of the posting, publication, or use of my child's work product or image on the district's computer system.

- I agree to allow the publication of my child's work and/or image on the district computer system.
- I do NOT agree to allow the publication of my child's work and/or image on the district computer system.

(Failure to agree to this section will result in the student's work and/or pictures not being published on the district computer system.)

Student

Signature: \_\_\_\_\_  
\_\_\_\_\_

Parent/Guardian      Signature: \_\_\_\_\_      Date: \_\_\_\_\_

\_\_\_\_\_ This form will be retained on file by authorized faculty designee for duration of applicable computer/network/Internet use.