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## 7540.02 - ~~WEB CONTENT, APPS AND SERVICES~~ DIGITAL CONTENT AND ACCESSIBILITY

### A. ~~Creation of Content for Webpages, Websites, Apps and Services~~ Creating Digital Content

The School Board authorizes staff members and students to create content for ~~the School Corporation's website and Corporation-approved/affiliated apps and services~~ webpages, websites, and apps and services (see Bylaw 0100 - Definitions) (digital content). ~~that are hosted by the School Corporation on its servers or Corporation-affiliated servers (i.e., servers the Board pays to use or otherwise sanctions the use of) and/or published on the Internet.~~

~~The content of webpages, websites, and apps and services shall~~ Corporation-generated and school-related digital content must comply with State and Federal law, e.g., copyright laws, Children's Internet Protection Act (CIPA), Section 504 of the Rehabilitation Act of 1973 (Section 504), Americans with Disabilities Act (ADA), and Children's Online Privacy Protection Act (COPPA), and reflect the professional image/brand of the Corporation, its employees, and students. ~~Content of webpages, websites, and apps and services shall~~ Corporation-generated digital content must be consistent with the Corporation's Mission Statement and ~~staff-created content for webpages, websites, and apps and services~~ is subject to prior review and approval of the Superintendent before being published on the Internet and/or used with students. ~~Corporation's website or Corporation-approved/affiliated apps and services.~~

~~Student created content for webpages, websites, and apps and services is subject to Policy 5722 - School-Sponsored Publications and Productions.~~ School-related student-created content for the Corporation's website or Corporation-approved/affiliated apps and services is subject to Policy 5722 - School-Sponsored Student Publications and Productions.

~~The creation of content for webpages, websites, and apps and services by students shall be done under the supervision of a professional staff member.~~ Creation of school-related content by students for the Corporation's website or Corporation-approved affiliated apps and services must be done under the supervision of a Corporation staff member.

### B. Purpose of Digital Content ~~of Corporation Webpages, Websites, and Apps and Services~~

The Superintendent shall have final editorial authority over all content placed on the Corporation's servers or Corporation-affiliated servers and displayed on the Corporation's webpages, websites, and/or apps and services. The Superintendent has the right to remove pages or links from any webpage or website, as well as require that apps and services created by a Corporation staff member be removed from the Corporation's servers or Corporation-affiliated servers, based upon the Superintendent's determination that the content is inappropriate or is not accessible to individuals with disabilities.

The purpose of the digital content of ~~webpages, websites, and apps and services~~ covered by this policy is to educate, inform, and communicate. The following criteria shall be used to guide the development of ~~such content for webpages, websites, and apps and services~~ Corporation-generated digital content:

#### 1. Educate

~~Content~~ Digital content provided shall be suitable for and usable by students and teachers to support the curriculum and Corporation's objectives.

## 2. Inform

~~Content~~ Digital content may inform the community about the school, teachers, students, or departments, including information about curriculum, events, class projects, student activities, and departmental policies.

## 3. Communicate

~~Content~~ Digital content may communicate information about the plans, policies and operations of the Corporation to members of the public and other persons who may be interested in and/or affected by Corporation matters.

The information ~~contained on the Corporation's webpages, websites, and apps and services shall~~ published on the Corporation's website and Corporation-approved/affiliated apps and services should reflect and support the Corporation's policies and philosophy, including any mission statement.

When the digital content includes a photograph or information relating to a student, including Corporation-issued email accounts, the Corporation shall abide by the provisions of Policy 8330 - Student Records.

All links included on the Corporation's webpages, websites, and apps and services also shall meet the above criteria and comply with State and Federal law (e.g., copyright laws, CIPA, Section 504, ADA, and COPPA). Nothing in this paragraph shall prevent the Corporation from linking the Corporation's webpages, websites, and apps and services to 1) recognized news/media outlets, e.g., local newspapers' websites, local television stations' websites, or 2) to webpages, websites, and apps and services that are developed and hosted by outside commercial vendors pursuant to a contract with the Board. The Board recognizes that such third party webpages, websites, and apps and services may not contain age-appropriate advertisements that are consistent with the requirements of Policy 9700.01 - Advertising, Commercial Activities, and Sponsorships/Naming Rights.

Under no circumstances ~~are Corporation created webpages, websites, and apps and services~~ is Corporation-generated digital content to be used for commercial purposes, political lobbying, or to provide financial gains for any employee or student. As part of this prohibition, digital content ~~of webpages, websites, and apps and services~~ contained on the Corporation's website shall not: 1) include statements or other items that support or oppose a candidate for public office, the investigation, prosecution or recall of a public official, or the passage of a tax levy or bond issue; 2) include a link to a website of another organization if the other website includes such a message; or 3) communicate information that supports or opposes any labor organization or any action by, on behalf of, or against any labor organization.

Under no circumstances ~~are staff member created webpages, websites, and apps and services, including personal webpages or websites, to be used to post~~ shall a staff member post on their personal web pages/websites or private digital accounts (i.e., non-Corporation-approved/affiliated apps and services) student progress reports, grades, class assignments, or any other similar class-related material. Employees are required to use the ~~Corporation specified webpages, websites, and apps and services,~~ Corporation's website or Corporation-approved/affiliated apps and services (e.g. Skyward) for the purpose of conveying information to students and/or parents.

Staff members are prohibited from requiring students to go to the staff member's personal webpages or websites ~~(including but not limited to their Facebook, Instagram, Pinterest pages, YouTube Channel(s), or TikTok sites) and/or private digital accounts (i.e., non-Corporation-approved/affiliated apps and services) (including but not limited to the staff member's personal accounts on Facebook, Instagram, Pinterest, YouTube Channel(s), or TikTok site(s))~~ to check grades, obtain class assignments and/or class-related materials, or to turn in assignments.

If staff members create digital content ~~for webpages, websites, and apps and services~~ related to their classes, they shall be hosted on the Corporation's ~~server or a Corporation affiliated server~~ website or a Corporation-approved/affiliated apps and services.

~~Unless the content of webpages, websites, and apps and services contain a student's personally identifiable information, Corporation webpages, websites, and apps and services that are created by students and/or staff members that are posted on the Internet shall not be password-protected or otherwise contain restricted access features, whereby only employees, student(s), or other limited groups of people can access the webpages, websites, and apps and services. Community members, parents, employees, staff, students, and other users generally shall be given full access to the Corporation's webpages, websites, and apps and services.~~ The Corporation's website, including school-specific websites, generally shall be open/available to the public unless specific digital content is unique to a specific child and/or includes student personally identifiable information, in which case the information must be password-protected or access to it must be otherwise restricted. When digital content involving student

personally identifiable information or information concerning coursework particular to a specific student's classes/assignments is password-protected/access is otherwise restricted, the student's parent(s)/guardian(s) will continue to have access to that digital content.

~~The content of Corporation webpages, websites, and apps and services shall~~ Digital content published on the Board's website should reflect an understanding that both internal and external audiences shall be viewing the information.

~~The Corporation's webpages, websites, and apps and services shall be hosted on Corporation-owned or Corporation-affiliated servers.~~

The Superintendent shall prepare administrative guidelines defining the rules and standards applicable to the use of the Corporation's webpages, websites, and apps and services and the creation of webpages, websites, and apps and services by staff and students. staff and students who publish digital content on the Board's website and Corporation-approved/affiliated apps and services.

The Corporation retains all proprietary rights related to the design of webpages, websites, and apps and services that are hosted on Corporation-owned or Corporation-affiliated servers, and content for its website(s) and any apps and services it operates and/or is affiliated with, absent written agreement to the contrary.

In order for a student's school work (i.e., work that is created in or for a class, at school, or as part of a school-sponsored extracurricular activity) to be displayed on the Corporation's website, the student (who is eighteen (18) years of age or older) or the student's parent (if the student is seventeen (17) years of age or younger) shall provide written permission and expressly license its display without cost to the Corporation.

Likewise, prior written permission of a student (who is eighteen (18) years of age or older) or the student's parent (if the student is seventeen (17) years of age or younger) is necessary for a student to be identified by name on the Corporation's website.

## C. ~~Website Accessibility~~ Accessibility of Web Content and Mobile Apps

The Corporation is committed to providing individuals with disabilities an opportunity equal to that of individuals without disabilities to participate in the Corporation's programs, benefits, and services, including those delivered through electronic and information technology, except where doing so would impose an undue burden or create a fundamental alteration. The Corporation is further committed to ensuring individuals with disabilities are able to acquire the same information, engage in the same interactions, and enjoy the same benefits and services within the same timeframe as persons without a disability, with substantially equivalent ease of use; that they are not excluded from participation in, denied the benefits of, or otherwise subjected to discrimination in any Corporation programs, services, and activities delivered online through the web or a mobile app, as required by Section 504 and Title II of the ADA and their implementing regulations; and that they receive effective communication of the Corporation's programs, services, and activities delivered in person or online.

This policy reflects the Corporation's commitment to and intention to comply with the requirements of Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794, 34 C.F.R. Part 104, Title II of the Americans With Disabilities Act of 1990, 42 U.S.C. 12131, and 28 C.F.R. Part 35, in all respects. For purposes of this policy, "web content" means "information and sensory experience to be communicated to the user by means of a user agent, including code or markup that defines the content's structure, presentation, and interactions." Examples of web content include text, images, sounds, videos, controls, animations, and conventional electronic documents (e.g., content in the following electronic file formats: portable document formats ("PDF"), word processor file formats, presentation file formats, and spreadsheet file formats). Additionally, "mobile applications" ("mobile apps") means "software applications that are downloaded and designed to run on mobile devices, such as smartphones and tablets."

### 1. Technical Standards

~~The Corporation shall adhere to the technical standards of compliance identified at [sgibson.k12.in.us](http://sgibson.k12.in.us). The Corporation measures the accessibility of online content and functionality according to the World Wide Web Consortium's (W3C's) Web Content Accessibility Guidelines (WCAG) 2.0 Level AA (or most current recommended level), and the Web Accessibility Initiative—Accessible Rich Internet Applications Suite (WAI-ARIA 1.1) for web content.~~ Web content and mobile apps that the Corporation provides and/or makes available, directly or through contractual, licensing or other arrangements, shall comply with the World Wide Web Consortium's Web Content Accessibility Guidelines (WCAG) 2.1, Level AA standards, unless the Board can demonstrate that such compliance would result in a fundamental alteration in the nature of its programs, services, or activities, or an undue financial and administrative burden.

Notwithstanding the preceding, Federal regulations provide for the following content types to have limited exemption from the WCAG 2.1, Level AA requirements:

- a. Archived web content (provided all four [4] Federal criteria are met).
- b. Preexisting conventional electronic documents (with specific restrictions).
- c. Third party content that is not created pursuant to a contract between the Board and a third party.
- d. Password-protected documents pertaining to a specific student or account.
- e. Preexisting social media posts.

Even when the preceding exceptions apply, however, the Corporation still will provide effective communication and reasonable modifications in accordance with the ADA.

In addition, documents currently used for accessing Corporation programs, services, programs, and/or activities do not qualify for the above exceptions, regardless of creation date.

When a person with a disability cannot access Corporation-generated or affiliated web content or mobile apps that meet WCAG 2.1, Level AA standards, the Corporation will: 1) provide alternate means of access to the same information and functionality; 2) make reasonable modifications to policies, practices, or procedures; 3) ensure effective communication through appropriate auxiliary aids and services; and 4) respond to accommodation requests within \_\_ ten (10) business days. Such accommodations may include: a) alternative document formats (large print, Braille, audio); b) telephone or in-person assistance for online services; or c) email or mail delivery of information typically accessed online.

2.

### 3. **Web Digital Accessibility Coordinator**

The Board designates its Technology Director as the Corporation's **Web Digital** Accessibility Coordinator(s). That/Those individual(s) is/are responsible for coordinating and implementing this policy.

The Board commits to providing the **Web Digital** Accessibility Coordinator with sufficient resources and authority to coordinate and implement this policy and any corresponding guideline(s), subject to oversight by the Superintendent and the Board.

See Policy 2260.01 - 504/ADA Prohibition Against Discrimination Based on Disability for the Section 504/ADA Compliance Coordinator('s)(s') contact information.

### 4. **Third Party Content**

Links included on the Corporation's webpages, websites, and apps and services that pertain to its programs, benefits, and/or services Corporation's website and Corporation-approved/affiliated mobile apps that pertain to its programs, activities, and/or services also shall meet the above criteria and comply with State and Federal law (e.g., copyright laws, CIPA, Section 504, ADA, and COPPA). While the Corporation strives to provide access through its webpages, websites, and apps and services to content provided or developed by third parties (including vendors, video sharing websites, and other sources of online content) that is in an accessible format, that is not always feasible. The Corporation's administrators and staff, however, are aware of this requirement with respect to the selection of content provided to students. The Corporation's Web Accessibility Coordinator(s) or designees shall vet online content on its webpages, websites, and apps and services that is related to the Corporation's programs, benefits, and/or services for compliance with these criteria for all new content, published on the Corporation's webpages, websites, and apps and services after adoption of this policy. The Corporation's Digital Accessibility Coordinator(s) or designee(s) will vet online content available on the Board's website and through Corporation-approved/affiliated mobile apps that are related to the Corporation's programs, activities, and/or services for compliance with the criteria for all new content published on the Corporation's website and mobile apps after adoption of this policy.

Content posted by third parties (e.g., members of the public) on Corporation platforms is exempt from the WCAG 2.1, Level AA requirements. Those platforms, however, along with content posted by the Corporation staff or contractors, must be fully compliant.

~~Nothing in the preceding paragraph, however,~~ Additionally, nothing herein shall prevent the Corporation from including links ~~on the Corporation's webpages, websites, and apps and services to~~ its website(s) and apps and services to:

- a. recognized news/media outlets (e.g., local newspapers' websites, local television stations' websites); or
- b. webpages, websites, or apps and services that are developed and hosted by outside vendors or organizations that are not part of the Corporation's program, benefits, or services.

The Board recognizes that such third party webpages, websites, and apps and services may contain advertisements that are not age-appropriate or consistent with the requirements of Policy 9700.01 - Advertising, Commercial Activities, and Sponsorships/Naming Rights, and State and Federal law.

#### **D. 4. Regular Audits**

The Corporation, under the direction of the ~~Web~~ Digital Accessibility Coordinator(s) or designees, shall audit at regular intervals the Corporation's ~~online content and measure this content against the technical standards adopted above.~~ digital content to ensure it meets the required technical standards.

This audit shall occur ~~no less than once every two (2) years.~~ at least annually.

~~If problems are identified through the audit, such problems shall be documented, evaluated, and, if necessary, remediated within a reasonable period of time.~~

#### **E. 5. Reporting Concerns or Possible Violations**

If a person accessing the Corporation's ~~webpages, websites, or apps and services~~ web content and/or Corporation-approved/affiliated mobile apps (e.g., a student, prospective student, employee, guest, or visitor) ("user") believes that the Corporation has violated the technical standards identified above in its online content, the user may contact the ~~Web~~ specific web content and/or a mobile app has violated the WCAG 2.1, Level AA standards, the user may contact the Digital Accessibility Coordinator with any accessibility concerns. The user also may file a formal complaint utilizing the procedures set out in Policy 2260.01 - Section 504/ADA Prohibition Against Discrimination Based on Disability.

#### **F. D. Instructional Use of Apps and Services**

The Board authorizes the use of apps and services to supplement and enhance learning opportunities for students, either in the classroom or for extended learning outside the classroom.

The Board requires the Principal and/or Technology Director pre-approve each of the apps and services that a teacher intends to use to supplement and enhance student learning. To be approved, the apps and services shall have a FERPA-compliant privacy policy and comply with all requirements of ~~COPPA and CIPA and Section 504 and the ADA.~~ the COPPA, CIPA, and Section 504/ADA, including the WCAG 2.1, Level AA accessibility standards.

The Board further requires the use of a Corporation-issued e-mail address in the login process.

#### **G. E. Annual Training**

~~The Corporation shall provide periodic training for its employees who are responsible for creating content or distributing information online so that these employees are aware of this Policy and understand their roles and responsibilities with respect to web design and creation and/or uploading of documents and multimedia content.~~

Such training shall be facilitated by ~~an individual with sufficient knowledge, skill and experience to understand and employ the technical standards set forth in Board policies and administrative guidelines.~~ qualified individuals with demonstrated knowledge, skill, and experience concerning the accessibility standards and ADA compliance.

#### **~~One-Way Communication Using Corporation Webpages, Websites, and Apps and Services~~**

#### **F. One-Way Communication Using the Corporation Websites and/or Corporation-Approved/Affiliated Apps and Services**

The Corporation Board approves the use of ~~its webpages, websites, and apps and services~~ the Corporation's website and Corporation-approved/affiliated apps and services to promote school activities and inform stakeholders and the general public about Corporation news and operations.

Such communications constitute public records that shall be archived.

When the Board or Superintendent designates communications distributed via ~~Corporation webpages, websites, and apps~~

~~and services~~ the Corporation's website and/or Corporation-approved/affiliated apps and services to be one-way communication, public comments are not solicited or desired, and the ~~webpage, website, or apps and services website, or app or service~~ is to be considered a nonpublic forum.

If the Corporation uses apps ~~and~~ /services that do not allow the Corporation to block or deactivate public comments, the Corporation's use of those apps ~~and~~ /services shall be subject to Policy 7544 - Use of Social Media, unless the Corporation is able to withhold all public comments automatically.

If unsolicited public comments can be withheld automatically, the Corporation shall retain the comments in accordance with its adopted record retention schedule , but it shall not review or consider those comments.

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Legal

P.L. 106-554, Children's Internet Protection Act

15 U.S.C. 6501 et seq., Children's Online Privacy Protection Act

20 U.S.C. 6777, 9134

47 U.S.C. 254, Communications Act of 1934, as amended

34 C.F.R. Part 99, Family Educational Rights and Privacy Act

47 C.F.R. 54.520, Children's Internet Protection Act