

Book	Policy Manual
Section	Policies Recommended for the BOE (43.1 Fall 2024 Update)
Title	PERSONAL COMMUNICATION DEVICES
Code	po5136
Status	
Adopted	September 26, 2016
Last Revised	October 23, 2017

5136 - PERSONAL COMMUNICATION DEVICES

~~For purposes of this policy, "personal communication device" (PCD) includes computers, tablets (e.g., iPad-like devices), electronic readers ("e-readers"; e.g., Kindle-like devices), cell phones, smartphones (e.g., iPhones, Android devices, Windows Mobile devices, etc.), and/or other web-enabled devices of any type.~~

~~Students may use PCDs before, during and after school, unless otherwise directed by a teacher or administrator.~~

~~Students may use PCDs while riding to and from school on a school bus or other Board provided vehicles or on a school bus or Board provided vehicle during school-sponsored activities, at the discretion of the bus driver, classroom teacher, or sponsor/advisor/coach. Distracting behavior that creates an unsafe environment will not be tolerated.)~~

~~Except as authorized by a teacher, administrator or IEP team, students are prohibited from using PCDs during the school day, including while off-campus on a field trip, to capture, record and/or transmit the words or sounds (i.e., audio) and/or images (i.e., pictures/video) of any student, staff member or other person. Using a PCD to capture, record and/or transmit audio and/or pictures/video of an individual without proper consent is considered an invasion of privacy and is not permitted. Students who violate this provision and/or use a PCD to violate the privacy rights of another person may have their PCD confiscated and held until the end of the school day or until a parent/guardian picks it up, and may be directed to delete the audio and/or picture/video file. If the violation involves potentially illegal activity, the confiscated PCD may be turned over to law enforcement.~~

~~PCDs, including but not limited to those with cameras, may not be activated or utilized at any time in any school situation where a reasonable expectation of personal privacy exists. These locations and circumstances include, but are not limited to, classrooms, gymnasiums, locker rooms, shower facilities, rest/bathrooms, and any other areas where students or others may change clothes or be in any stage or degree of disrobing or changing clothes. The Superintendent and Principal are authorized to determine other specific locations and situations where use of a PCD is absolutely prohibited.~~

~~Students are expressly prohibited from using covert means to listen in or make a recording (audio or video) of any meeting or activity at school. This includes placing recording devices, or other devices with one or two way audio communication technology (i.e., technology that allows a person off-site to listen to live conversations and sounds taking place in the location where the device is located), within a student's book bag or on the student's person without express written consent of the Superintendent. Any requests to place a recording device or other device with one or two way audio communication technology within a student's book bag or on a student's person shall be submitted, in writing, to the building administrator. The District representative shall notify the parent(s), in writing, whether such request is denied or granted.~~

~~Students shall have no expectation of confidentiality with respect to their use of PCDs on school premises/property.~~

~~Students may not use a PCD in any way that might reasonably create in the mind of another person an impression of being threatened, humiliated, harassed, embarrassed or intimidated. See Policy 5517.01 Bullying and Other Forms of Aggressive Behavior. In particular, students are prohibited from using PCDs to: (1) transmit material that is threatening, obscene, disruptive, or sexually explicit or that can be construed as harassment or disparagement of others based upon their race, color, national origin, sex (including sexual orientation/transgender identity), disability, age, religion, ancestry, or political beliefs; and (2) engage in "sexting" i.e., sending, receiving, sharing, viewing, or possessing pictures, text messages, e-~~

mails or other materials of a sexual nature in electronic or any other form. Violation of these prohibitions shall result in disciplinary action. Furthermore, such actions will be reported to local law enforcement and child services as required by law.

Students are also prohibited from using a PCD to capture, record, and/or transmit test information or any other information in a manner constituting fraud, theft, cheating, or academic dishonesty. Likewise, students are prohibited from using PCDs to receive such information.

Possession of a PCD by a student at school during school hours and/or during extra-curricular activities is a privilege that may be forfeited by any student who fails to abide by the terms of this policy, or otherwise abuses this privilege.

Violations of this policy may result in disciplinary action and/or confiscation of the PCD. The Principal will also refer the matter to law enforcement or child services if the violation involves an illegal activity (e.g., child pornography, sexting). Discipline will be imposed on an escalating scale ranging from a warning to an expulsion based on the number of previous violations and/or the nature of or circumstances surrounding a particular violation. If the PCD is confiscated, it will be released/returned to the student's parent/guardian after the student complies with any other disciplinary consequences that are imposed, unless the violation involves potentially illegal activity in which case the PCD may be turned over to law enforcement. A confiscated device will be marked in a removable manner with the student's name and held in a secure location in the building's central office until it is retrieved by the parent/guardian or turned over to law enforcement. School officials will not search or otherwise tamper with PCDs in District custody unless they reasonably suspect that the search is required to discover evidence of a violation of the law or other school rules. Any search will be conducted in accordance with Policy 5771— Search and Seizure. If multiple offenses occur, a student may lose his/her privilege to bring a PCD to school for a designated length of time or on a permanent basis.

A person who discovers a student using a PCD, recording device, or other device with one or two way audio communication technology in violation of this policy is required to report the violation to the Principal.

Students are personally and solely responsible for the care and security of their PCDs. The Board assumes no responsibility for theft, loss, or damage to, or misuse or unauthorized use of, PCDs brought onto its property.

Parents/Guardians are advised that the best way to get in touch with their child during the school day is by calling the school office.

Students may use school phones to contact parents/guardians during the school day.

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The Board of Education is committed to providing educational environments that support students fully engaging with classmates, teachers, and instruction. Use of personal communication devices ("PCDs") shall be limited during school hours and during school-related events and functions in accordance with this policy and the Student Code of Conduct.

Personal Communication Device ("PCD") is defined in Bylaw 0100 - Definitions.

Nothing in this policy prohibits a student from using a PCD for student learning or to monitor or address a health concern, in accordance with the student's individualized education program or Section 504 plan.

Students are prohibited from using a PCD except:

- A. when the Principal authorizes a student to use a PCD for educational purposes during instructional time;
- B. during school-related events and functions (e.g., after-school activities, extra-curricular activities); or
- C. while riding in school vehicles (Distracting behavior that creates an unsafe environment shall not be tolerated and may result in the loss of use of the PCD while in a school vehicle.).

Students are prohibited from using PCDs in a manner that infringes on a person's reasonable expectation of privacy. This includes using PCDs in locations and circumstances where a student may be changing clothes or in any stage of undress, such as gymnasiums, locker rooms, shower facilities, and restrooms/bathrooms, and swimming pools. The Superintendent and building principals are authorized to determine other specific locations and situations where the use of a PCD is absolutely prohibited.

Except as authorized by a teacher, administrator, IEP team, or Section 504 plan, students are prohibited from using PCDs to capture, record, and/or transmit the words or sounds (i.e., audio) and/or images (ie., pictures/video) of any student, staff member, or other person during school hours on school property or during school-related events and functions. Using a PCD

to capture, record, and/or transmit audio and/or pictures/video of an individual without proper consent is considered an invasion of privacy and is not permitted.

Students are expressly prohibited from using covert means to listen-in or make a recording (audio or video) of any meeting or activity at school. This includes placing recording devices, or other devices with one- or two-way audio communication technology (i.e., technology that allows a person off-site to listen to live conversations and sounds taking place in the location where the device is located), within a student's book bag or on the student's person without express written consent of the Superintendent. Any requests to place a recording device or other device with one- or two-way audio communication technology within a student's book bag or on a student's person shall be submitted, in writing, to the building administrator. The District representative shall notify the parent(s), in writing, whether such request is denied or granted within five (5) days.

Students may not use a PCD in any way that might reasonably create in the mind of another person an impression of being threatened, humiliated, harassed, embarrassed or intimidated. See Policy Board 5517.01 - Bullying and Other Forms of Aggressive Behavior. In particular, students are prohibited from using PCDs to: (1) transmit material that is threatening, obscene, disruptive, or sexually explicit or that can be construed as harassment or disparagement of others based upon their race, color, national origin, sex (including sexual orientation/transgender identity), disability, age, religion, ancestry, or political beliefs; and (2) engage in "sexting" - i.e., sending, receiving, sharing, viewing, or possessing pictures, text messages, e-mails or other materials of a sexual nature in electronic or any other form. Violation of these prohibitions shall result in disciplinary action. Furthermore, such actions will be reported to local law enforcement and child services as required by law.

Students also are prohibited from using a PCD to capture, record, and/or transmit test information or any other information in a manner constituting fraud, theft, cheating, or academic dishonesty. Likewise, students are prohibited from using PCDs to receive such information.

Students may not use PCDs to access and/or view Internet websites that otherwise are blocked to students while in school, on school property, or at a school-sponsored activity.

When the use of PCDs is prohibited, all PCDs must be powered off completely (i.e., not just placed in vibrate or silent mode) and stored out of sight.

When the use of PCDs is permitted, all PCDs must be placed in silent mode and must be stored out of sight when directed by the administrator or sponsor.

Students shall have no expectation of confidentiality with respect to their use of PCDs while at school or on school property, including school buildings, other facilities, and school vehicles.

Possession of a PCD by a student during school hours and during school-related events and functions is a privilege that may be forfeited by any student who fails to abide by the terms of this policy, or otherwise abuses this privilege.

Violations of this policy may result in the following disciplinary measures:

- A. Issue a verbal warning and require the student to store the PCD in accordance with this policy.
- B. Confiscate the PCD and store it securely in a staff-controlled locker, bin, or drawer for the duration of the class or period.
- C. Confiscate the student's PCD and store it in the facility's central office for the remainder of the school-related event or school day.
- D. Confiscate the student's PCD in the facility's central office to be picked up by the student's parent or guardian.
- E. Schedule a conference with the student's parent or guardian to discuss the student's PCD use.
- F. Loss of privilege to bring a PCD to school for a designated length of time or on a permanent basis.
- G. In-school suspension.
- H. Out-of-school suspension.
- I. Expulsion

If the violation involves an illegal activity (e.g. child pornography, sexting), the school official will also refer the matter to law enforcement or child services. The PCD will be confiscated and may be turned over to law enforcement if a violation involves potentially illegal activity.

School officials will not search or otherwise tamper with PCDs in District custody unless they reasonably suspect that the search is required to discover evidence of a violation of the law or other school rules. Any search will be conducted in accordance with Board Policy 5771 - Search and Seizure.

A person who discovers a student using a PCD, recording device, or other device with one- or two-way audio communication technology in violation of this policy is required to report the violation to the Principal or Superintendent.

Students are personally and solely responsible for the care and security of their PCDs. The Board assumes no responsibility for theft, loss, or damage to, or misuse or unauthorized use of, PCDs brought onto its property.

Parents/Guardians are advised that the best way to get in touch with their child during the school day is by calling the school office.

Students may use school phones to contact parents/guardians during the school day.

This policy shall be posted prominently on the District's website and in a central location in each school building and made publicly available upon request.

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