



Book	Policy Manual
Section	8000 Operations
Title	BAN ON TEXTING WHILE DRIVING
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8625 - BAN ON TEXTING WHILE DRIVING

It is the intent of the School Board to improve roadway safety for operators and passengers of District motor vehicles and buses and personal vehicles while employees are driving to/from any location for District business.

DEFINITIONS

"**Motor vehicle**" means all District-owned, operated, rented, contracted or leased passenger vehicles, including school buses, as well as any motor vehicle that is privately owned or leased and is used to transport Board employees and students where such use is subject to Board or Superintendent authorization and approval, or operated by a Board employee while traveling to or from any location on official school business. A motor vehicle (other than a school bus) that is stationary is not being operated and is not subject to the prohibition in this policy. Policy 8606 and Policy 8600.04 further governs the use of wireless communication devices by school bus operators.

"**Wireless communication device**" means any handheld device used or capable of being used in a handheld manner, that is designed or intended to receive or transmit text or character-based messages, access or store data, or connected to the Internet or any communications service as defined in F.S. 812.15 and that allows text communications. WCDs include, but are not limited to, cellular and wireless telephones, pagers/beepers, personal digital assistants (PDAs), Blackberries/Smartphones, and other Wi-Fi- enabled or broadband access devices.

General Prohibitions

A Board employee shall not operate a District motor vehicle at any time, or a personal vehicle while driving to/from any location on school business, while manually typing or entering multiple letters, numbers, symbols, or other characters into a wireless communications device or while sending or reading messages on such a device for the purpose of non-voice interpersonal communication, including, but not limited to, communication methods known as texting, e-mailing, instant messaging, and snap chatting.

This prohibition does not apply to those acts authorized by F.S. 316.305 that, include, but are not limited to, the following:

- A. performing certain official duties while operating an authorized emergency vehicle as defined in F.S. 322.01, a law enforcement or fire service professional, or an emergency medical services professional;
- B. reporting an emergency or criminal or suspicious activity to law enforcement authorities;
- C. receiving messages that are:
 - 1. related to the operation or navigation of the motor vehicle;
 - 2. safety-related information, including emergency, traffic, or weather alerts;
 - 3. data used primarily by the motor vehicle; or
 - 4. radio broadcasts.
- D. using a navigation system or device; or
- E. conducting wireless interpersonal communication that does not require manual entry of information or reading text messages, except to activate, deactivate, or initiate a feature or function.

Hands-Free in School Crossings, School Zones, and Work Zone Areas

Board employees shall not operate a District motor vehicle at any time, or a personal vehicle while driving to/from any location on school business while using a wireless communications device in a handheld manner in a designated school crossing, school zone, or work zone areas as defined in F.S. 316.003.

This prohibition does not apply to those acts authorized by F.S. 316.306 that, include, but are not limited to, the following:

- A. performing certain official duties while operating an authorized emergency vehicle as defined in F.S. 322.01, a law enforcement or fire service professional, or an emergency medical services professional;
- B. reporting an emergency or criminal or suspicious activity to law enforcement authorities;
- C. receiving messages that are:
 - 1. related to the operation or navigation of the motor vehicle;
 - 2. safety-related information, including emergency, traffic, or weather alerts;
 - 3. data used primarily by the motor vehicle; or
 - 4. radio broadcasts.
- D. using a device or system in a hands-free manner for navigation purposes;
- E. using a wireless communications device hands-free or hands-free in voice-operated mode, including but not limited to, a factory-installed or after-market Bluetooth device; or
- F. operating an autonomous vehicle, as defined in F.S. 316.003, in autonomous mode.

A Board employee who violates this policy is subject to disciplinary action up to and including termination.

Notwithstanding the provisions of F.S. 316.305(3)(c), a Board employee's billing records for a Board-supplied wireless communication device or the testimony of or written statements from appropriate authorities receiving such messages may be admissible as evidence in any District-initiated proceeding to determine whether a violation of this policy has been committed.

Revised 12/16/19

Legal

F.S. 316.305

F.S. 316.306