



5136 - **PERSONAL COMMUNICATION DEVICES**

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 prohibited 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. If included in a student's individualized education program or Section 504 plan, students may use a PCD for student learning as authorized by a teacher, administrator or IEP team. A student may also be permitted to use a PCD to monitor or address a health concern if the superintendent or principal receives a written statement from the student's physician regarding such use.

Students are otherwise prohibited from using a PCD except:

- a.) during school-related events and functions (e.g., after-school activities, extra-curricular activities); or
- b.) while riding in school vehicles at the discretion of the bus driver, classroom teacher or sponsor/advisor/coach (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 or 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 (i.e., pictures/video) of any student,

staff member, or other person on school property and 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 Superintendent or his/her designee. 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 Board 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/gender 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 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 outside of the instructional day, all PCDs must be placed in silent mode and must be stored out of sight when directed by the administrator or coach/advisor/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 on school property, 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 disciplinary action and/or confiscation of the PCD.

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.

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.

[Cross References:
po0100 po5517.01
po5771 po7540.03]

R.C. 3313.753
ODEW Ohio's Cell Phones in Schools Model Policy

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