Book	Policy Manual
Section	5000 Students
Title	PERSONAL COMMUNICATION DEVICES
Code	po5136
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Legal	R.C. 3313.753 R.C. 5502.262
Cross References	po0100 - DEFINITIONS po5517.01 - BULLYING AND OTHER FORMS OF AGGRESSIVE BEHAVIOR po5771 - SEARCH AND SEIZURE po7540.03 - STUDENT TECHNOLOGY ACCEPTABLE USE AND SAFETY
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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 ("PCD") (this term shall also include an "electronic communication device" as referenced in R.C. 3313.753.) shall be prohibited during the instructional day in accordance with this policy and the Student Code of Conduct.

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

Nothing in this policy prohibits a student from using a PCD in accordance with the student's individualized education plan ("IEP") or Section 504 plan. The Board shall also permit a student to use a PCD to monitor or address a health concern if the Board receives a written statement from the student's physician requiring such use. Additionally, students may use school phones to contact parents/guardians during the school day depending upon the exigencies of the situation, the location of the students, and the location of the PCD during an active threat or emergency in accordance with the protocol outlined in the Board-adopted emergency management plan.

Students are prohibited from using a PCD except:

A. when the teacher authorizes a student to use a PCD for educational purposes during instructional time;

B. when the Principal authorizes a student to use a PCD for educational purposes during instructional time;

C. as authorized by a supervising adult during school-related events and functions (e.g., after-school activities, extracurricular activities); or

D. while riding in school vehicles. (Distracting behavior that creates an unsafe environment, failure to follow instructions of a bus driver, or any other violation of the Student Code of Conduct related to PCD use shall not be tolerated and may result in the loss of use of the PCD while in a school vehicle as well as discipline when appropriate.)

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 (i.e., pictures/video) of any student, staff member, or other person during school hours. Using a PCD to capture, record, and/or transmit audio and/or pictures/video of an individual without proper consent during the instructional day, where there is a reasonable expectation of privacy, or as outlined above, 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. w 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 Principal or Director of Pupil Services. 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 would constitute bullying or harassment or other violations of the Student Code of Conduct. 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, 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 or possession of PCDs is permitted, all PCDs must be placed in silent mode unless otherwise required by an IEP or Section 504 plan to monitor/address a health concern, or as permitted by a principal or teacher for learning purposes. Students permitted to use a PCD for these limited reasons are expected to use the approved device only as authorized. PCDs must be stored out of sight when directed by the administrator, teacher, bus driver, adult supervising an extracurricular or school event, 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 PCDs on Campus

Students are permitted to possess a PCD on their person as long as they remain stored out of sight and are not used except when permitted by this policy or the emergency management plan.

Possession of a PCD by a student during the instructional day, 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 instructional 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 (unless required for medical reasons or in accordance with an IEP or Section 504 plan).

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 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 or other designated communication tool or application.

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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