Sec. 1. DEFINITIONS

"Personal communication device" means:

- A telephone;
- A cell phone, such as a smartphone or flip phone;
- A tablet;
- A smartwatch;
- A radio device;
- A paging device; or
- Any other electronic device capable of telecommunication or digital communication.

The term "personal communication device" does not include an electronic device provided to a student by Academy of Accelerated Learning, Inc. (AAL).

Tex. Educ. Code § 37.082(d).

"School property" means anywhere on a AAL campus or in a AAL facility where instruction is provided, including but not limited to: classrooms, hallways, gyms, cafeterias, band halls, and all other extracurricular spaces; outdoor fields, tracks, and other athletic areas; all breezeways, courtyards, playgrounds, and other outdoor areas, specifically including all school parking lots.

The term "school property" excludes students learning from home or another off-site location as part of AAL's virtual instruction program.

"School day" means the time of day beginning with the first bell of the day and ending with the last day of the day.

Before- or after-school activities as part of AAL's extracurricular offerings are part of the school day.

"Use" is defined as a device in possession of a student that is turned on and capable of receiving or sending a communication signal.

"Possession" means being on the person of the student, directly held, in pockets, in a backpack, in a pouch, or otherwise accessible and under the control of the student directly.

Sec. 2. STUDENT USE OF PERSONAL COMMUNICATION DEVICES

a) *Use Prohibited*

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AAL prohibits students from using a personal communication device while on school property during the school day.

b) *Guidelines for Student Possession of Personal Communication Devices*

Students may bring a personal communication device to school; however, all personal communication devices must be powered off, remain unused, and given to designated campus staff to collect and store the device in the designated device-holding area. Students are prohibited from possessing or using their personal communication devices during the school day, and should not have a device in their hands at any time during the school day.

Except as identified in this policy, no student is authorized to possess a personal communication device while on school property during the school day.

In the event a student brings a personal communication device to school, the student must bring the device to the designated device-holding area (*e.g.*, main office) when the school day begins and where it must remain for the entirety of the school day. Each campus principal will develop procedures describing how and where students retrieve their devices at the end of the school day.

c) *Confiscation and Disciplinary Consequences*

Each AAL campus will designate an appropriate secure location in the school where confiscated student personal communication devices will be kept, and a process to ensure the school can identify which student is the owner of each device that is confiscated.

All AAL administrators and campus staff are authorized to confiscate a personal communication device used in violation of this policy. If a staff member confiscates a device, the staff member should bring the device to the designated storage location when convenient during the day, and the staff member remains responsible for the device until then.

Disciplinary consequences for students who use a personal communication device while on school property during the school day will be in accordance with the Student Code of Conduct, including any progressive sanctions for ongoing violations.

AAL may dispose of a confiscated personal communication device in any reasonable manner after having provided the student's parent 90 days' prior notice in writing of AAL's intent to dispose of the device.

Tex. Educ. Code § 37.082.

d) *Exception for Certain Authorized Uses*

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AAL authorizes the use of a personal communication device:

1) Necessary to implement an individualized education program or a plan created under Section 504 of the Rehabilitation Act of 1973, or a similar program or plan.

2) By a student with a documented need based on a directive from a qualified physician. The directive must be provided to the campus principal. A qualified physician shall mean a physician licensed to practice in Texas. The directive must state the conditions under which the student would need access to and use of the personal communication device during the school day on school property. The parent may be asked to sign consent for school staff to contact the physician should the school require additional information to comply with the directive. Use authorized under this provision will be conducted in a manner that minimizes disruption to instruction and the school environment, and may be subject to reasonable limitation on time, place, and manner as determined by the campus principal or designee. Authorization under this section can be revoked if the device is being used in a way that is found to disrupt the learning environment.

3) Necessary to comply with a health or safety requirement imposed by law or as part of AAL's safety protocols. If the Superintendent determines that a legally required health or safety requirement would authorize or require the use of a personal communication device, the Superintendent shall notify all appropriate staff of the circumstances in which this would be authorized or required. The Board must vote to approve any use under this exception.

   Campus principals are authorized to use discretion in permitting student use of personal communication devices in emergency circumstances. Any use permitted under this exception must be reported to the Board during the next regularly scheduled Board meeting.

Tex. Educ. Code § 37.082(c).
A student who is provided an exception in accordance with the above remains subject to disciplinary measures if the student uses a personal communication device outside the scope of the documented authorized use.

Sec. 3. NO RESPONSIBILITY FOR DEVICES

If a personal communication device is in the possession of AAL, the school will take appropriate efforts to keep the device stored and free from damage. However, AAL ***is not responsible for any damaged, lost, or stolen personal communication devices***. Neither parents nor students will be compensated for devices that have been in AAL's possession in the event those devices are lost, stolen, or damaged while in possession of the school.

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