

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 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 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. during school-related events and functions (e.g., after-school activities, extra-curricular activities); or
- D. 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 locker rooms, shower facilities, and restrooms/bathrooms. 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 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 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. After school detention and/or Saturday school.

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.

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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