

*518 - Student Use of Personal Communication Devices: This optional policy is updated to standardize terminology related to all types of personal electronic devices and to further update and clarify the terms under which such so-called "personal communication devices" may be used at school. In particular, we have added language specifically prohibiting the use of recording devices (e.g. Angel Sense devices) that parents of children who are on IEPs or Section 504 plans may send to school with their child for the purpose of listening in to what is happening at school during the school day. Under the revised language, such devices may only be used with proper consent of school officials. We have also clarified the circumstances under which cameras are prohibited in order to protect the privacy of individuals at school. The policy also specifically addresses the use of personal communication devices to threaten, harass, intimidate or otherwise bully students or others at school which may be a violation of district prohibitions against harassment, bullying and intimidation. Additional consequences language is also included. Legal references are updated to include the Family Educational Rights and Privacy Act and its implementing regulations.

Soda Springs School District No. 150 recognizes the value and importance of electronic communication, online presence, and innovative technology tools to enhance the learning experience and work environment within the District. However, student use of personal electronic communication devices during school hours may interfere with or disrupt the educational process.

DEFINITIONS

"Personal Communication Device (PCD)" includes, but is not limited to, personal cell phones, tablets (e.g. iPads and similar devices), personal computers, laptops, iPods/MP3 players, electronic readers (e.g. Kindles and similar devices), pagers, and other similar devices or media players, without regard to the commercial name or manufacturer of the device, whether handheld, car models, laptop or other computer usage, or combinations of any of the above.

"Social media networks" include, but are not limited to, websites, web logs (blogs), wikis, social networks, online forums, virtual worlds, and any other social media generally available to the public that does not fall within the district's technology network (e.g., Facebook, Twitter, LinkedIn, Flickr, YouTube, Instagram, Snapchat, ~~MySpace~~, blog sites, Wikipedia, etc.).

GENERAL PROVISIONS

Students may not use PCDs on school property or at school-sponsored activities without prior authorization. A student may possess a PCD in school, on school property, and at school-sponsored activities, provided that during school hours and on school vehicles the device remains off (not just placed into vibrate or silent mode) and stored out of sight.

Students may not use PCDs on school property or at school-sponsored activities to access and/or view Internet websites, including social media networks, that are otherwise blocked to students

at school or to take part in any activity prohibited in the district's acceptable use policy (see Policy No. 698, Acceptable Use of Internet, Computer and Network Resources for Students).

Except as authorized by a teacher, administrator or IEP team, students are prohibited from using a PCD during the school day, including while off campus on a field trip, to capture, record and/or transmit audio or images (i.e. pictures/video) of any student, staff member or other person. 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.

The use of PCDs with built-in cameras is prohibited at all times in any school situation where a reasonable expectation of personal privacy exists. These locations and circumstances include, but are not limited to, locker rooms, bathrooms, shower facilities, and other locations where students or others may change clothes or be in any stage or degree of disrobing or changing clothes in which inappropriate or privacy violating images may be obtained. The Superintendent and building principals are authorized to determine other specific locations and situations where use of a PCD is absolutely prohibited.

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 506.50 – Prohibition Against Harassment, Intimidation and Bullying). 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, or ancestry; and
2. Engage in “sexting,” i.e., sending, receiving, sharing, viewing, or possessing pictures, text messages, emails or other materials of a sexual nature in electronic or any other form.

Students are also prohibited from using a PCD to capture 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 their PCDs to receive such information.

The district is not responsible for theft, loss, damage, or vandalism to 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's main office. Students may use designated school phones to contact parents/guardians during the school day.

EXCEPTIONS

PCDs may be used in the following circumstances:

1. *With prior approval from the building principal.*
2. *During approved classroom instruction.*
3. *During an emergency situation involving the immediate health/safety of a student or other individual(s).*

CONSEQUENCES FOR VIOLATION

Possession of PCDs by a student is a privilege, which may be forfeited by any student who fails to abide by the terms of this policy, or otherwise engages in misuse of this privilege.

Students who violate the privacy provisions of this policy and/or use a PCD to violate the privacy rights of another person may have their device confiscated and held until a parent/guardian picks it up and may be directed to delete the audio and/or picture/video file while the parent/guardian is present. If the violation involves potentially illegal activity the confiscated device may be turned over to law enforcement.

For the first violation, the device will be confiscated until the end of the school day at which time the student may reclaim it from the building principal's office.

Subsequent violations of this policy will result in confiscation of the device for a period of time to be determined by the building principal. Devices confiscated on two (2) or more occasions must be reclaimed from the building principal's office by the student with his/her parent or guardian present.

The district will use reasonable care to safeguard confiscated devices by designating a locked storage area but does not assume liability in the event such confiscated device is lost, stolen, or damaged.

Repeated violations of this policy may result in disciplinary action up to and including suspension. The building principal may also refer the matter to law enforcement if the violation involves an illegal activity.



LEGAL REFERENCE:

20 U.S.C. §1232g (Family and Educational Rights Privacy Act)

34 C.F.R. Part 99

Idaho Code §33-512 – Governance of Schools

ADOPTED: June 4, 2014

AMENDED: December 18, 2019

**Language in text set forth in italics is optional.*