

12.6. ~~Personal~~ Electronic Device Policy

~~While in some instances the possession and use of personal electronic devices by students at a school may be appropriate, occasionally the possession and use of such devices by students at school can have the effect of distracting, disrupting and intimidating others in the school setting and leading to opportunities for academic dishonesty and other disruptions of the education process. With this policy the~~ The Board vests in school administrators the responsibility to develop a policy governing the possession and use of ~~personal both District-owned and privately-owned~~ electronic devices and the authority to enforce reasonable rules relating to such electronic devices in the schools.

12.6.1. Each school shall have a policy governing the possession and use of ~~personal~~ electronic devices on school premises and at school sponsored activities which includes the following:

~~[a] scope of coverage of the policy, including clear rules for school premises, school hours, school activities, after school activities, school sponsored activities at remote sites, vehicles transporting students to and from school activities;~~

~~[b][a]~~ definitions of electronic devices covered by policy;

~~[c][b]~~ prohibitions against use of electronic devices during standardized assessments unless specifically allowed by statute, regulation, student IEP, or assessment directions;

~~[d][c]~~ clear information about restrictions on when or where possession of electronic devices, active or deactivated, are strictly prohibited ~~or~~ allowed;

~~[e][d]~~ clear information about permissible uses of an electronic device;

~~[f][e]~~ prohibitions on the use of electronic devices in a ways that ~~threatens~~ bully, humiliates, harasses, or intimidates school-related individuals, including students, employees, and ~~invitees~~ guests; or violates local, state, or federal laws; ~~and~~

~~[g] procedures and due process for the confiscation and recovery of electronic devices used in violation of the school's policy.~~

~~12.6.2. A school policy governing the possession and use of personal electronic devices may include, but is not limited to, any or all of the following:~~

~~[f]~~ prohibitions or restrictions on unauthorized ~~audio recordings, capture of images, transmissions of recordings or images, or use that would cause~~ invasions of reasonable expectations of student and employee privacy;

~~[g]~~ requirement for students and employees to comply with the applicable District Acceptable Use Policy agreement;

~~[h]~~ procedures to report the misuse of ~~personal~~ electronic devices;

~~[a][i]~~ procedures and due process for the confiscation and recovery of privately-owned electronic devices used in violation of the school's policy;

~~[b][j]~~ potential disciplinary actions for violation of ~~local the school's policies~~ policy regarding the use of electronic devices; ~~and~~

~~[c][k]~~ exceptions to the policy for special circumstances, health-related reasons, use consistent with a current and valid IEP and emergencies; ~~and~~

~~[d]~~ strategies for use of technology that enhance instruction.

12.6.2. Schools are encouraged to involve teachers, parents, students, school community councils, and school community members in developing this policy.

12.6.3. Schools shall provide, within the first 45 days of each school year, a school-wide

or in-classroom training to employees and students that covers the requirements described in Utah Administrative Code R277-495-5.

12.7. Closed Campus

School Community Councils may authorize and implement “closed campus,” under which students are prohibited from leaving school grounds during the school day without authorization from the school attendance office.

12.8. Adoption of School Rules and Procedures

Each school shall establish rules and procedures on school discipline and dress that are compatible with District policy, state law, and federal law. School rules and procedures shall be developed through a cooperative effort of the administration, instruction and support staff, students, parents and community members. The District may review local school rules and procedures and require the school to modify any rule or procedure that is not consistent with Board policy or state statutes on discipline in the public schools.

12.9. Written Notice and Posting of School Rules

12.9.1. School administrators shall establish procedures to provide for written notice of a school’s discipline rules and procedures to:

- [a] new and continuing students at the beginning of each school year;
- [b] transfer students at the time of their enrollment in the school; and
- [c] the student’s parent/guardian.

12.9.2. Each school shall post a list of school rules consistent and in conjunction with the District Student Conduct and Discipline Policy in prominent locations in the school.

12.9.3. Teachers are encouraged to post class rules in the classroom.

12.10. Site Based Interventions

A continuum of intervention strategies, including positive behavioral interventions and supports, shall be available to help students whose behavior in school repeatedly falls short of reasonable expectations. Prior to expelling or changing the placement of a student for repeated acts of willful disobedience, defiance of authority, or disruptive behavior which are not so extreme or violent that immediate removal is warranted, good faith efforts shall be made at the school level to implement a remedial discipline plan to allow the student to remain in his or her school of attendance.

12.10.1. Before referring the student to District Case Management for expulsion, or change of placement under this section, school staff should demonstrate that they have attempted some or all of the following interventions:

- [a] talking with the student using positive behavioral interventions and supports;
- [b] class schedule adjustments;
- [c] phone contact with the parent/guardian;
- [d] information parent/student conferences;
- [e] behavioral contracts;
- [f] after-school make-up time;
- [g] short-term in-school suspension (ISS);
- [h] short-term at-home suspensions;
- [i] resource team involvement and assistance;
- [j] appropriate evaluation;
- [k] home study;

DEFINITIONS

Change of Placement for Students with Disabilities under IDEA. For purposes of removals of a student with a disability from the student's current educational placement, a change in placement occurs if the removal is for more than ten (10) consecutive school days; or, the student is subjected to a series of removals that constitute a pattern because they cumulate to more than ten (10) school days in a school year, and because of factors such as the length of each removal, the total amount of time the student is removed, and the proximity of the removals to one another.

"Detection Canines" means police trained and controlled dogs used to investigate the possible presence of controlled substances or explosive materials such as weapons, ammunition, or bombs.

"District-owned electronic device" means a device that is used for audio, video, text communication, or other type of computer or computer-like instrument that is identified as being owned, provided, issued or lent by the District to a student or employee.

"Electronic device" means a device that is used for audio, video, or text communication or any other type of computer or computer-like instrument including: (1) a smart phone; (2) a smart or electronic watch; (3) a tablet; or (4) a virtual reality device.

"Expulsion for Regular Education and 504 Students" means removal from the school of attendance for a period longer than ten (10) consecutive school days. Recognizing that students who commit violent or disruptive acts may pose safety problems for the community as well as schools, the Davis School District will work with parents to provide alternative educational placement and programs for students, where appropriate and feasible. However, the Board retains the authority to exclude the student from all District schools, programs, or activities for the period of expulsion. In cases of total expulsion from the District, the legal obligation of complying with state compulsory education laws becomes the sole responsibility of the student's parents or legal guardian.

"Firearm, Explosive, and Noxious or Flammable Material" include but are not limited to: guns, starter pistols, cap guns, bombs, bullets and ammunition, fireworks, gasoline or other flammable liquids, mace, pepper spray, matches, and lighters.

"Gang" means any ongoing organization, association or group of three or more persons, whether formal or informal, having as one its primary activities the commission of criminal acts, which has a unique name or identifiable signs, symbols, or marks, and whose members individually or collectively engage in criminal or violent behavior to persons or property, or who create an unreasonable and substantial disruption or risk of disruption of a class, activity, program, or other function of a school.

"Law enforcement authorities" means officers working under the direct supervision and in the employment of police or law enforcement, as opposed to under the supervision of a public education, agency. Law enforcement authorities have received police officer training and are acting in that capacity.

~~**"Personal electronic devices (PEDs)"** means privately owned wireless and/or portable electronic handheld equipment that include, but are not limited to, existing and emerging mobile communication systems and smart technologies, portable internet devices, Personal Digital Assistants (PDAs), handheld entertainment systems, and any other convergent communication technologies that do any number of the previously mentioned functions. PEDs also include any current or emerging wireless handheld technologies or portable information technology systems that can be used for word processing, wireless Internet access, image capture/recording, sound recording and information transmitting/receiving/storing, etc.~~

"Privately-owned electronic device" means a device that is used for audio, video, text communication, or other type of computer or computer-like instrument that is not owned or issued by the District to a student or employee.

"Reasonable suspicion" means a particularized and objective basis, supported by objective and articulable facts leading the searcher to believe that there is a moderate chance of finding evidence of wrongdoing.

Reasonableness considers the totality of the circumstances including such factors as the scope and manner of the intrusion, the justification for the search, the nature of the infraction, the place where the search is conducted, the student's age, history and school record, the prevalence and seriousness of the problem in the school, the exigency requiring the search without delay, the reliability of the information used as a justification for the search, and the school official's prior experience with the student. The search shall be reasonable both in inception of the search and the scope of the search.

"Restorative justice practice" means a discipline practice designed to enhance school safety, reduce school suspensions, and limit referrals to court, and is designed to help minors take responsibility for and repair the harm of behavior that occurs in school.

"Status offense" means a violation of the law that would not be a violation but for the age of the offender.

"Suspension" means a temporary (10 consecutive school days or less) interruption of District services and activities. A student who is suspended may, at the school administrator's discretion, have access to homework, tests, and other schoolwork through a home study program, but will not be allowed to attend classes or participate in any school or District activities during the period of suspension.

“Trauma-informed practice” means a strengths-based service delivery approach grounded in an understanding of and responsiveness to the impact of trauma, emphasizing physical, psychological, and emotional safety for both offenders and victims, and creating opportunities for victims to rebuild a sense of control and empowerment.

“Weapon” shall include firearms (as defined above), as well as any substance or object which, when combined with the conduct or intent of its possession or with the circumstances in which it is being used, attempted to be used or threatened to be used, is capable of or does in fact, harm, intimidate, threaten, or harass a person or those persons in the vicinity of its possessor.

REFERENCES

Gun Free School Act; 20 U.S.C. §7961

Family Educational and Privacy Rights Act; 20 U.S.C. §1232g (h)(1) -(2), 34 C.F.R. §99.36 Education of Individuals with Disabilities Education Act (IDEA), Title 20, Chapter 33

Rehabilitation Act of 1973, 29 U.S.C. §705 (20) (C) (iv)

Americans with Disabilities Act (ADA), 42 U.S.C. §12132.

[Utah Code Ann. §53E-3-509](#) – Gang prevention and intervention policies

[Utah Code Ann. Title 53E, Chapter 10, Part 5](#)– School Safety and Crisis Line.

[Utah Code Ann. Title 53G, Chapter 8, Part 2](#)– School Discipline and Conduct Plans.

[Utah Code Ann. §53G-8-302](#) – Prohibition of corporal punishment - Use of reasonable and necessary physical restraint or force.

[Utah Code Ann. Title 53G, Chapter 8, Part 4](#)– Juvenile Court and Law Enforcement Notification to Public Schools.

[Utah Code Ann. Title 53G, Chapter 9, Part 6](#)– Bullying and Hazing.

[Utah Code Ann. §78A-6-112](#) – Minor taken into custody by peace officer, private citizen, or probation officer – Grounds – Notice requirements.

[Utah Code Ann. §78A-6-1110](#) – Cooperation of political subdivisions and public or private agencies and organizations.

[Utah Administrative Code R277-495](#) –~~Required Policies for~~ Electronic Devices in Public School.

[Utah Administrative Code R277-608](#) – Prohibition of Corporal Punishment in Utah’s Public Schools.

[Utah Administrative Code R277-609](#) – Standards for LEA Discipline Plans and Emergency Safety Interventions.

[Utah Administrative Code R277-613](#) – LEA Disruptive Student Behavior, Bullying, Cyber-bullying, Hazing, Retaliation, and Abusive Conduct Policies and Training.

[Utah Administrative Code R277-615](#) – Standards and Procedures for Student Searches.

[USOE - LRBI Technical Assistance Manual](#)

[Davis School District Acceptable Use Agreements](#)

FORMS

[Record of Parent Notification of Student Threat or Incident](#)
