

An optional policy to consider.

Instruction

Electronic Resources

Use of GPS Devices in the Classroom

The Board of Education (Board) understands that parents/guardians of some students with special needs, including but not limited to those with autism, may seek permission to use safety-oriented assistance technology, such as a device known as “AngelSense” or similar devices, based on concerns for safety.

The Board recognizes that such devices, commonly known as a GPS tracker with a corresponding app, are designed to enable parents/guardians to locate a child with special needs who may elope. Some of these devices also have a “listen-in” feature, which if used in the school setting present privacy concerns for other students and staff.

When a request for the use of such a device is made, the District will consider the Individuals with Disabilities Act, Section 504 and corresponding state obligations in making a determination as to whether the child requires the use of such a device in order to receive a free and appropriate public education (FAPE). ~~All such requests shall be handled through the PPT/IEP or Section 504 process. The PPT/IEP or Section 504 Team will determine if an unmet disability related need exists and the reason for that need.~~ (**alternate language:** *If the parent/guardian request is based on improving the educational opportunity for a student with a disability, the Section 504 or PPT/IEP process shall be utilized.*)

The District requests that the listening-in capability of the device be disabled during school hours or at a school-sponsored activity.

Note: *AngelSense offers a feature which enables districts to automatically disable audio recording or transmitting functions during school hours. AngelSense also has a school dashboard that allows school districts some control over setting and changing the predefined schedule of school days and hours during which the voice features of the device will be disabled.*

No student shall be prohibited from possessing or using an electronic signaling device that is determined by a licensed physician to be essential to the student’s health. The use of the device in such situations must be restricted to the health related purpose. Such use does not mean the District can allow surreptitious recording or transmitting of audio. The GPS device used will have to meet strict parameters pertaining to the recording or transmitting of confidential information.

A parent/guardian shall obtain approval from the student’s building Principal, after the conclusion of the PPT/IEP or Section 504 process, before operating a student-tracking safety device with recording or listen-in capability at school or at a school-sponsored event. The device’s recording and listen-in technology, because of student and staff privacy concerns, must be disabled while the device is on campus or at a school sponsored event. The transmission of unauthorized audio or image of other students is prohibited.

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Use of GPS Devices in the Classroom (continued)

Before a student safety tracking device is allowed on campus or at a school sponsored event, the student's parent/guardian shall agree in writing to the requirement for the device's recording and listening-in technology to be disabled. The District may ~~shall~~ *(choose)* prohibit the future use of the device on campus or at a school-sponsored activity if it is determined that the device's recording or listening-in capabilities were used in violation of this policy.

If a request for the use of this device is made by a parent/guardian, but the student is not known or suspected to have a disability, the administration shall consider the legal and practical issues in making a decision that balances the best interests of a student with the need to maintain a safe, distraction-free and legally compliant educational environment.

Optional language to consider:

~~The Board believes the medically necessary use of these type of devices is to locate students who are prone to eloping or wandering and may become lost and who are nonverbal or may have communication difficulties due to their disability.~~

~~Special education programs have strategies to address eloping. These strategies include, but are not limited to:~~

- ~~• Behavior Intervention Plans to address the causes of eloping and redirect the student.~~
- ~~• Setup of classrooms to deter or redirect students from leaving the classroom.~~
- ~~• Staff training to identify and address eloping.~~
- ~~• Assigned aides to ensure student safety while on campus.~~

~~The District, with strategies to address eloping and student safety, may take the position that it is not necessarily a requirement that it allow a student to use a GPS device to receive a FAPE. However, if it can be demonstrated that the District's program is unsafe and does not address eloping, that permission may be granted to use such a device, with appropriate restrictions.~~

(cf. 3511 – Compliance with 504 Regulations)

(cf. 5125 – Student Records)

(cf. 6141.3271 – Voice Assistant Devices)

(cf. 6159 – Individualized Education/Special Education)

(cf. 6171 – Special Education)

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Use of GPS Devices in the Classroom (continued)

Legal Reference: Connecticut General Statutes
1-19(b)(11) Access to public records. Exempt records.
10-15b Access of parent or guardians to student's records.
10-76d Duties and powers of Boards of Education to provide special education programs and services. (as amended by June Special Session PA 15-5, Sec. 277 and PA 19-49)
10-76ff Procedures for determining if a child requires special education (as amended by PA 06-18)
10-76g State aid for special education.
10-76h Special education hearing and review procedure.
10-209 Records not to be public.
46b-56 (e) Access to Records of Minors.
18 USC § 25 10-2522 Electronic Communication Privacy Act.
20 U.S.C. 254 Children's Internet Protection Act of 2000.
47 U.S.C. Children's Online Protection Act of 1998.
Federal Family Educational Rights and Privacy Act of 1974 (section 438 of the General Education Provisions Act, as amended, added by section 513 of P.L. 93-568, codified at 20 U.S.C.1232g.).
Dept. of Educ. 34 C.F.R. Part 99 (May 9, 1980 45 FR 30802) regs. implementing FERPA enacted as part of 438 of General Educ. provisions act (20 U.S.C. 1232g)-parent and student privacy and other rights with respect to educational records, as amended 11/21/96.
Section 504, U.S. Rehabilitation Act, 1973, 29 U.S.C. 791
Individuals with Disabilities Education Act, 20 U.S.C. §1400 et seq.

Policy adopted:

cps 1/20

New Fairfield Public Schools
New Fairfield, Connecticut

Permission for Operating a Student-Tracking Safety Device

In compliance with Board of Education policy #6141.3272, a parent/guardian shall obtain approval from a student's building principal before operating a student-tracking safety device at school or at a school-sponsored event if the device has recording or listen-in capacity. The device's recording and listen-in technology shall be disabled while the device is on campus or at a school-sponsored event because of student privacy concerns. The unauthorized audio transmission of other students and/or staff is prohibited. Before a safety tracking device is allowed on campus or at a school-sponsored event, the student's parent/guardian shall agree in writing to the requirement for the device's recording and listening-in technology to be disabled and that the district may prohibit future use of the device on campus or at a school-sponsored activity if it is determined that the device's recording or listening-in capabilities are used in violation of this policy.

By signing below, I acknowledge that I have received and read **New Fairfield** School District Policy #6141.3272, "Use of GPS Devices in the Classroom," which contains the guidelines for using a student-tracking device at school or at a school-sponsored event if the device has recording or listen-in capability. **I agree** Agree to the requirement that the student-tracking safety device's recording and listening-in technology will be disabled at school or at a school-sponsored event. I understand that the District may prohibit future use of the device on campus or at a school-sponsored activity if it is determined that the device's recording or listening-in capabilities are used in violation of this policy.

Student Name

Grade

Principal's Signature

Parent/Guardian Name (*Please Print*)

Date

Parent/Guardian Name Signature

Date