

Unity School District - Board of Education

Board Policy 443.5

Personal Communication Devices

Last Revised 7/10/2018

This Policy is subject to change as technology changes. Such change shall be initiated by the Superintendent and communicated to the building principals. This Policy serves to clarify the usage of personal communication devices (PCDs), as a basis for reference in the Student Handbooks.

Students may use personal communication devices (PCDs) before and after school at the elementary and middle school level at the discretion of the building principal and/or classroom teacher.

High school students may use personal communication devices (PCDs) before and after school, during their lunch break, and in between classes as long as they do not create a distraction, disruption or otherwise interfere with the educational environment, during after school activities (e.g., extra-curricular activities), or at school-related functions. Use of PCDs, except those approved by a teacher or administrator, at any other time is prohibited. The high school principal may further define limitations and expectations in the High School Student Handbook.

However, technology including, but not limited to, PCDs intended and actually used for instructional purposes (e.g., taking notes, recording classroom lectures, writing papers) will be permitted, as approved by the classroom teacher or the building principal. Such devices do not include the school provided tablets or computers middle and high school levels.

For purposes of this policy, "personal communication device" includes computers, tablets (e.g., iPads and similar devices), electronic readers ("e-readers"; e.g., Kindles and similar devices), cell phones (e.g., mobile/cellular telephones, smartphones (e.g., BlackBerry, iPhone, Android devices, Windows Mobile devices, etc.)), and/or other web-enabled devices of any type.

Students may not use PCDs on school property or at a school-sponsored activity to access and/or view Internet websites that are otherwise blocked to students at school. Students may use PCDs while riding to and from school on a school bus or other board-provided vehicles or on a school bus or board-provided vehicle during school-sponsored activities, at the discretion of the bus driver, classroom teacher and/or the sponsor/advisor/coach. Distracting behavior that creates an unsafe environment will not be tolerated.

Except as authorized by a teacher, administrator or IEP team, students are prohibited from using PCDs during the school day, including while off-campus on a field trip, 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. 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 who violate this provision and/or use a PCD to violate the privacy rights of another person may have their PCD confiscated and held at the discretion of the principal or 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. Appropriate school discipline may be assigned, in accordance with the Student Handbook. If the violation involves potentially illegal activity the confiscated-PCD may be turned-over to law enforcement.

PCDs, with cameras or any other recording capabilities, may not be activated or utilized at any time in any school situation where a reasonable expectation of personal privacy exists. These locations and

circumstances include, but are not limited to, classrooms, gymnasiums, locker rooms, shower facilities, rest/bathrooms, and any other areas where students or others may change clothes or be in any stage or degree of disrobing or changing clothes. The superintendent and building principals are authorized to determine other specific locations and situations where use of a PCD is strictly prohibited.

Students shall have no expectation of confidentiality with respect to their use of PCDs on school premises/property.

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. 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, sexual orientation, 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 are also 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.

Possession of a PCD by a student at school during school hours and/or during extra-curricular activities 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 disciplinary action and/or confiscation of the PCD. The building principal will also refer the matter to law enforcement or child services if the violation involves an illegal activity (e.g., child pornography, sexting). Discipline will be imposed on an escalating scale ranging from a warning to an expulsion based on the number of previous violations and/or the nature of or circumstances surrounding a particular violation. If the PCD is confiscated, it will be released/returned to the student's parent/guardian after the student complies with any other disciplinary consequences that are imposed, unless the violation involves potentially illegal activity in which case the PCD may be turned-over to law enforcement. A confiscated device will be marked in a removable manner with the student's name and held in a secure location in the building's central office until it is retrieved by the parent/guardian or turned-over to law enforcement. 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 policy and statute. If multiple offenses occur, a student may lose his/her privilege to bring a PCD to school for a designated length of time or on a permanent basis.

A person who discovers a student using a PCD in violation of this policy is required to report the violation to the building principal.

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.

Ref: Section 118.258 WI Stat.
Student Disciplinary Procedures