



Book	Policies
Section	05000 Students
Title	Personal Technology and Communication Devices
Code	5031
Status	Active
Last Revised	October 8, 2019

Tooele County School District recognizes that technology can enhance teaching and learning. Student-owned/provided devices should be viewed as a resource. Utilizing student-owned devices is subject to common sense and legal guidelines. Teachers and administrators with the permission of parents are encouraged to utilize student-owned devices as part of the teaching and learning process.

Resources: this rule is authorized by;

- A. The Utah Constitution Article X, Section 3, which vests general control and supervision over public education to the Board.
- B. Subsection 53G-8-202(2)(c)(i), which directs the Superintendent to develop a conduct and discipline policy model for elementary and secondary public schools; and.
- C. 47 CFR, part 54, Children's Internet Protection Act, which requires schools and libraries that have computers with internet access to certify they have internet safety policies and technology protection measures in place to receive discounted internet access and services.
- D. All schools under the LEA supervision shall be required to have a policy or policies for students, employees and where appropriate, for guests governing the use of electronic devices on school premises and at school-sponsored activities. R277-495-3 (1),

#### 1. Definitions

- a. Acceptable use Policy means a document stipulating constraints and practices that a user shall accept prior to a user accessing an LEA's or any school within an LEA's, network or the internet.
- b. Electronic Devices: means a device that is used for audio, video or text communication or any other type of computer or computer-like instrument including, but not limited to the following, smartphone; smart or electronic watch; a tablet; virtual reality device.
- c. Guest means an individual; who is not a student, employee, or designated volunteer o the public school; and who is on school property or at the site of a school-sponsored activity or event.
- d. Inappropriate matter means pornographic or indecent material as defined in Subsection 76-10-1253(1)(a).
- e. District-owned electronic device means a device that is used for audio, video, text communication, or any other type of computer or computer-like instrument that is identified as being owned, provided, issued or lent by the LEA to a student or employee.
- f. Privately owned electronic device means a device, including an electronic device that is used for audio, video, text communication, or and another computer or computer-like device that is not owned or issued by the LEA to a student or employee.
- g. Public school means a school or public-school program grades kindergarten through 12 grades, which is part of the Utah Public School System, including a school with a distance learning program or an alternative program.
- h. The Children's Internet Protection Act (CIPA) means federal regulations enacted by the Federal Communications Commission (FCC) and administrated by the Schools and Libraries Division of the FCC.
- i. CIPA and companion laws, the Neighborhood Children's Internet Protection Act (NCIPA) and the Protecting Children in the 21st Century Act, require recipients of federal technology and to comply with certain internet filtering and policy requirement.
- j. Utah Education Telehealth Network (UETN) means the Utah Education and Telehealth Network created in section 53B-17-105

k. Individual suspicion means information that an individual has violated policy; generally required for constitutional search (including personal belongings; exceptions are possible when privacy interests implicated in the search are minimal and where other safeguards are available; not as exacting in the public school setting as in criminal law.

l. Reasonable suspicion; need not be based on a single factor, but on the totality of the circumstances; aggregate effect of all information available at the time of the search; does not require absolute certainty but only sufficient probability; the sort of common-sense conclusion about human behavior upon which practical people are entitled to rely.

m. Instructional time are the hours during the school day designated by the school or school district, cumulative hours and days during the course of the school year must equal 990 hours of instructional hours and 180 instructional days, consistent with R277-419; also includes the time during the class when the teacher is instructing the students.

2. Use of Electronic Devices. Electronic devices may be used during the school day, during school-sponsored activities or transportation as follows:

a. Student may have electronic devices in their possession during the regular school day.

b. The devices must remain out of sight during the instructional time and be turned off or on a silent mode.

c. If students intentionally use or respond to electronic devices during instructional time or during time identified by teachers, electronic devices may be confiscated.

d. Devices may be retrieved by individuals designated by the school. Students may also be subject to school discipline.

e. A school shall, develop a written procedure to establish a warning schedule for student violations which all school employees shall follow. Exceptions may be made for individual students or for specific time periods as warranted. The time period shall be interpreted with flexibility.

f. Electronic devices must be either turned off or held in a secure place by the teacher, as determined by the individual teacher, during class quizzes, tests, and standardized assessments.

g. Electronic devices inappropriately used or disclosed may be subject to search by school administrators based on reasonable suspicion.

h. Students may not use any electronic device to access inappropriate matter while on school property or while using District connectivity. Students may not use any electronic device to hack any school or district network. Students may not use any electronic device in ways that bully, humiliate, harass, or intimidate school-related individuals, including students, employees, or guests.

3. Use of District-owned Electronic Devices. District-owned electronic devices must be used in accordance with the specific rules and conditions related to the issuance of the device to the student, including rules on care and maintenance of the device, and restrictions on personal uses of the device, and rules relating to the installation or use of software on the device. Students may not use any District-owned electronic device to access inappropriate matter, nor may students use a District-owned electronic device to hack, any network or any electronic device. Students may not use any District-owned electronic device in ways that bully, humiliate, harass, or intimidate school-related individuals, including students, employees or guests.

4. Exceptions to the general electronic device policy shall be made consistent with the school district and school policies but in the judgment and discretion of individual teachers.

a. Medical reasons: School administrators may give permission for students to possess electronic devices for good cause shown if the devices do not distract from the instructional or education process.

b. Parent request: parents may request that a student possess an electronic device on active mode at all times during the school day, with exception to during course or subject test and standardized assessments. Teachers shall grant such request for good cause shown. (good cause may include medical needs or unusual family situations.)

c. Teacher permission: The teacher may permit a student to have an electronic device in his possession at all times during the regular school day, including during assessments, based on a written 504 plans, and IEP or legitimate circumstances as determined by the individual teacher.

d. Emergency; students may use electronic devices in situations that threaten the health, safety or well-being of students (including themselves), school employees or others.

e. Parents shall make requests for exceptions to the school district/school policy to the school principal, designee or individual teacher. The school shall have forms available at the main office and in the counseling center for parent/student requests.

5. Reporting misuse of electronic devices. Students should report any misuse of electronic devices by an employee to the principal or other appropriate administrators. Students should report misuse of electronic devices by other students to a teacher or an administrator. Misuse of electronic devices by guests should be reported to the principal or other appropriate administrators.

6. Consequences for violation of policy.

- a. Students will receive one warning prior to discipline for violation of this policy
- b. Designated individuals, upon identification, may retrieve their child's electronic device during school hours or by appointment.
- c. A school may impose other consequences for a student's violation of the electronic device policy only following notice of such policy to the school community. Such penalties are not exhaustive, and more than one penalty may be imposed if warranted. Such penalties may include:

- Loss of electronic device privileges
- Disciplinary letter
- In-school suspension
- Suspension
- Loss of extracurricular or honor privileges or recognition
- If students are defiant and will not cooperate with school administrators and/or will not surrender electronic devices, the designated school administrator may take appropriate action for the safety and well-being of the student or other students or employees at the school. The school principal or designee shall notify a parent immediately of additional penalties.

#### 7. Notice to Students and Parents of Policy.

- a. Parents and students shall receive annual written notice of the school district's school's electronic device policy and procedure. Written notice may be satisfied by posting the policy on the school district/school's website, publishing the policy in the school handbook or directory, sending the policy to the students home or any other reasonable means.
- b. Parents and students shall receive annual notice of the policy;
  - Parents and students shall receive notice of changes in the school district/school policy in a timely manner and through reasonable means.
  - A copy of the most current policy shall always be available in the main office of the school and shall be posted online on the school website if a school has a website.
- c. Schools may require that parents return a copy of the policy with a signature indicating that parents have had access to the policy.
- d. Information to parents should include exceptions to the policy and potential consequences for students.
- e. Information to parents shall provide clear information on how best to contact students during school hours or activities, in lieu of immediate contact by electronic device.
- f. Students and parents shall be notified that law enforcement may be contacted, at the school's discretion if circumstances warrant such contact.

#### 8. Confiscated Electronic Devices.

- a. Only licensed school personnel (unless other employees are specifically identified in policy) may confiscate student electronic devices.
- b. Licensed school employees are discouraged from searching or reviewing material or numbers stored on student electronic devices except under compelling circumstance.
- c. Licensed school employees may search an electronic device if the device is found by the employee for the limited purpose of determining the device's owner.
- d. Schools will do their best to guarantee and protect confiscated electronic devices but are not responsible for loss, damage or theft.
- e. Schools will make a good faith effort to notify parents or designated individuals that electronic device is in the school's possession and time and resources permitting, will maintain electronic devices until the end of the school year. Prior to disposal of devices school/school districts shall clear all personal data.

#### 9. Creative and Innovative Uses for all Electronic Devices.

- a. Individual teachers, school employees, and schools are encouraged to use electronic devices creatively to communicate effectively with students and parents and to enhance instruction
- b. Creative uses might include:
  - Notifying absent students of assignments.
  - Communicating with parents when students excel or if a student falls behind or is absent
  - Parents notifying school when students are absent or tardy
  - Teachers notifying students of news articles or events that would enhance discussion or student research
  - Providing immediate feedback to student on written work or assignments
  - Using student electronic devices in class as response systems.

#### 10. Other Provisions.

- a. Picture taking or recording by students is strictly forbidden in school or school activity private areas, such as locker rooms, counseling sessions, washrooms, and dressing areas.

- b. Students bring electronic devices on school property or to school activities at their own risk. The school is not responsible for lost stolen or damaged electronic equipment.
- c. Students are strictly responsible for their own electronic devices. If devices are borrowed or taken and misused by non-owners, device owners are jointly responsible for the misuse or policy violation(s).
- d. Student and parents should be informed and understand that confiscated electronic devices may be subject to search by school officials.
- e. A student's penalties for violation(s) of an electronic device policy provision may vary depending upon the intentional nature of the violation, other disciplinary actions the student may have received and specific circumstances of the violation.