

# OLDHAM COUNTY BOARD OF EDUCATION POLICY

## POSSESSION OF PERSONAL COMMUNICATION AND ELECTRONIC DEVICES: CODE OF ACCEPTABLE BEHAVIOR AND DISCIPLINE

9076

*Reference: KRS 158.165*

*Relates to: Policy 9068*

### **Personal Communication Devices:**

A "personal communications device" means a communication device that emits an audible signal, vibrates, displays a message, or otherwise summons or delivers a communication to the possessor, or another person including but not limited to a paging device, a cellular telephone, MP-3 players, iPods, iPads, notebooks, netbooks, tablet computers and e-readers.

At the discretion of the principal, personal communication devices may be used during the instructional day. Otherwise, unless the student is in attendance in the capacity of an active member of a volunteer fire fighting organization or a volunteer emergency medical services organization, students possessing such devices must have them turned off, not displayed, and not in use or the student will be subject to discipline for being disruptive to the educational environment and student safety and will be required to forfeit the device. In accordance with Transportation Department rules, students may use cell phones or other electronic devices while riding a bus, motor coach or van provided by the OCBE as long as the device is on silent mode. This policy shall not prohibit students from using personal communications devices for educational purposes when such use is authorized by the teacher for an instructional activity.

Except as authorized by a teacher, administrator or IEP team, students are prohibited from using personal communication devices 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 personal communication device 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. Personal communication devices 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 locker rooms, shower facilities, restrooms, and any other areas where students or others may change clothes or be in any stage or degree of disrobing or changing clothes.

Any school employee, including a bus driver, who discovers a student using a personal communications device in violation of the policy, shall report it to an administrator at the school. Non-certified employees shall not take possession of device. The student shall turn the device over to a teacher or Administrator upon request. For each violation, disciplinary consequences will be within the discretion of the principal, based on the district Code of Acceptable Behavior and Discipline and may include but not be limited to:

- treated as defiance of authority (detention, Saturday school, etc. per school policy)
- forfeiture of the device for 7 days and return of device to parents\*
- prohibition of bringing devices to school

As the number of offenses accumulates, the severity of the consequence may increase based on school policy. If the violation involves potentially illegal activity the confiscated-PCD may be turned-over to law enforcement.

\*Parents may pick-up the forfeited devices at the school their child attends during normal business hours. Any device not retrieved by a parent by June 30<sup>th</sup> shall be donated to a charitable organization.

### **Student Tracking Safety Devices:**

A parent must obtain approval from the school principal prior to operating a student-tracking safety device with recording or listen-in capability at school or school-sponsored events, and field trips. Due to privacy concerns, the District requires recording and listen-in technology to be disabled while the student is attending school, a school-sponsored event, or school field trip.