



PERSONAL ELECTRONIC DEVICES POLICY

I. Definitions

A. Personal electronic devices include all electronic communication and entertainment devices that can be used by an individual

1. Pagers
2. Phones, with and without photo-taking capacity
3. Blackberries and similar devices
4. Hand-free devices
5. Gaming devices
6. Music players, I-pods and similar devices
7. Cameras

B. School or School Events

1. Hours that constitute a school day, 7:40 a.m. to 3:30 p.m., during individual Junior High courses or during the entire period of the elementary school day
2. Including school-sponsored after-school activities, field trips and school-provided transportation to and from field trips

C. Pass Time - the time designated between classes or groups to allow students to move between classrooms

D. Recess - the time designated in elementary and Junior High for exercise or outside activity, regardless of whether or not it is designated as instructional time by the school

E. Lunch Time

1. Time period in either Elementary or Junior High designated for lunch
2. May or may not be combined with a recess time or outside activity

F. Parent/Legal Guardian - Person(s) who has legal responsibility for the child's education

G. Individualized Suspicion

1. Information that individual has violated policy
2. Generally required for constitutional search (including personal belongings)
3. Exceptions are possible when privacy interests implicated in search are minimal and where other safeguards are available
4. Not as exacting in the public school setting as in criminal law

H. Reasonable Suspicion

1. Reasonable suspicion need not be based on a single factor, but on totality of the circumstances
2. Aggregate effect of all information available at the time of search
3. 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 reply.

I. Medical Reasons - Student's documented recurring illness or medical problems

J. Instructional Time

1. Hours during the school day designated by the school
2. Cumulative hours and days during the course of the school year (990 instructional hours and 180 instructional days)

II. Use of Electronic Devices

Electronic devices may not be used on the NPA Campus (school or grounds) during the school day, during school-sponsored activities or transportation.

When a student needs an instructional device for NPA in-school instructional purposes, the school will provide what is needed, i.e. calculator, camera.

When a student needs to call parents from school, the office/student-use phone is available to all students. The student needs to bring a teacher phone pass to the office, sign the phone use data form, and will then be permitted to use the phone. When a parent/guardian needs to notify a student, they may contact the school office.

If a student brings a cell phone to school, use policies are as followed:

A. Students must keep cell phones in their personal backpacks. Device must be in the OFF position. Exceptions may be approved for documentable health or safety reasons. The student's parent/guardian must meet with the school director to discuss any such possible exceptions.

B. If students are found in possession of any prohibited electronic device-either seen or heard-the device will be confiscated. See IV. Consequences for Violations of Policy

C. Student/parent/guardians are also on notice that confiscated electronic devices are subject to search by school administrators.

III. Exceptions to general electronic device policy shall be made at the discretion of the school director. Exceptions will only be made for compelling circumstances such as the following:

A. Documented medical or safety reasons may be considered for restricted cell phone use. A parent/guardian conference with the school director is required for consideration of an exception.

B. Emergency cell phone use, i.e. earthquake aftermath or school emergency, may be approved by the school director to protect the safety of the student, other students, and school employees during a limited emergency period.

IV. Consequences for Violation of Policy

A. Students will not be given warnings before being subject to the provisions of this policy. Parents/guardians and students are expected to be familiar with and to act consistently with the policy at all times.

B. Procedures for Administering Consequences for Violation are as follows

1. First Offense: Item is confiscated and an electronic device violation notification will be given to the student. (Student is responsible to give the parent the notification). The device can only be recovered by a parent/legal guardian at the end of the school day. Student will also be subject to school discipline. Parent and student will be required to sign a form stating that if the item is confiscated again and brought to the office, NPA will keep item until the end of the semester.

2. Second Offense: Item is confiscated and brought to the office and will be kept until the end of the semester. Student will also be subject to school discipline. Parent and student will be required to sign a form stating that if the item is confiscated again and brought to the office, NPA will suspend the student per discipline policy and keep the item until the end of the school year.

C. A school may impose other consequences for a student's violation of the electronic device policy only following notice. Such penalties are not exhaustive and more than one penalty may be imposed, if warranted. Such penalties may include:

1. Disciplinary Notice
2. In-school suspension
3. Suspension
4. If student is defiant and will not cooperate with school director/teachers and/or will not surrender electronic device(s), the school director may take appropriate action for the safety and well being of the student and other students or employees at the school, including contacting law enforcement officials, if circumstances warrant. The school director or designee shall notify a parent immediately of additional penalties.

V. Notice to Students and Parents of Policy

A. Parents and students shall receive annual written notice of the school's electronic device policies. Written notice may be satisfied by posting the policy on the school's website, or publishing the policy in annual registration packets, or sending the policy to the student's home, or any other reasonable means.

B. Parents and students shall have access to updates to the annual notice of the policy

1. Parents and students shall receive notice of changes in the school policy in a timely manner and through reasonable means.
2. 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 website, if possible.

VI. Confiscated Electronic Devices

- A. Only licensed school employees may confiscate student electronic devices.
- B. Licensed school employees who confiscate an electronic device in accordance with this policy need to submit the device to the school director. The school director will determine if there is a "reasonable suspicion" that would warrant a search of the electronic device. Such a search may include a review of text messages, photo files, and recent, missed, or dialed calls.
- C. Licensed school employees may search an electronic device if they find a device that is believed to be a misplaced item for the limited purpose of determining the device's owner.
- D. Schools will do their best to guard and protect confiscated electronic devices, but are not responsible for loss, damage, or theft.
- E. Schools will make a good faith effort to notify parent/guardian that an electronic device is in school's possession. Parent/guardian will be expected to retrieve confiscated devices within seven school days. Unclaimed devices cleared of personal data will be donated to a charitable organization after four weeks.

VII. Other Provisions

- A. Picture taking or recording by students is strictly forbidden in school or school activity private areas, such as bathrooms, or 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 devices.
- 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 their misuse and policy violation(s).
- D. NPA reserves the right to define the educational value of any new electronic wireless devices or features that may become available in the future and to regulate their use at school.

References: Utah Code 53A-3-402(15)
Utah Code 53A-11-803, 805, 806, 901
USOE Administrative Code R277-495-3
House Bill 295 Public School Electronic Device Policies