

Book	Policy Manual
Section	Policies for Special Update
Title	Copy of ELECTRONIC EQUIPMENT
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5136.01 - **ELECTRONIC EQUIPMENT**

While in some instances that possession and use of electronic equipment or devices by a student at school may be appropriate, often the possession and use of such equipment or devices by students at school can have the effect of distracting, disrupting, and/or intimidating others in the school environment and leading to opportunities for academic dishonesty and other disruptions of the educational process. Consequently, the Board of Education will supply any electronic equipment or devices necessary for participation in the educational program.

Students are prohibited from using electronic equipment or devices in a manner that may be physically harmful to another person (e.g. shining a laser in the eyes of another student). Further, at no time may any camera or other electronic equipment/device be utilized by a student in a way that might reasonably create in the mind of another person an impression of being threatened, humiliated, harassed, embarrassed, or intimidated. See Policy 5517.01 - Bullying and Other Forms of Aggressive Behavior. In particular, students are prohibited from using a camera or other electronic equipment/device 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, national origin, sex (including sexual orientation/transgender identity), age, disability, religion, or political beliefs; and 2) send, share, view or possess pictures, text messages, e-mails, or other materials of a sexual nature (i.e., sexting) 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 prohibited from using cameras and other electronic equipment/devices to capture, record, or transmit test information or any other information in a manner constituting fraud, theft, or academic dishonesty. Similarly, students are prohibited from using cameras and other electronic equipment and devices to capture, record, or transmit the words (i.e. audio) and/or images (i.e. pictures/video) of any student, staff member or other person in the school or while attending a school-related activity, without express prior notice and explicit consent for the capture and/or recording of such words or images. Using a camera or other electronic equipment/devices to capture, record, or transmit audio and/or pictures/video of an individual without the individual's consent is considered an invasion of privacy and is not permitted, unless authorized by the building principal. Cameras and electronic equipment/devices are expressly banned from and may not be possessed, 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. The building principal has authority to make determinations as to other specific locations and situations where possession of a camera or other electronic equipment/device is absolutely prohibited.

Unauthorized electronic equipment and devices will be confiscated from the student by school personnel and disciplinary action taken.

Any electronic equipment/device confiscated by District staff 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. Electronic equipment/devices in District custody will not be searched or otherwise tampered with unless school officials reasonably suspect that the search is required to discover evidence of a violation of the law or other school rules (e.g. a student is observed using a camera in a prohibited area). Any search will be conducted in accordance with Board Policy 5771 - Search and Seizure.

Students are personally and solely responsible for the care and security of any electronic equipment or devices they bring to school. The Board assumes no responsibility for theft, loss, damage, or vandalism to electronic equipment and devices brought onto its property, or the unauthorized use of such devices.

Accessing and Monitoring School-Issued Devices and Accounts

While students have no right or expectation of privacy when using District technology resources, the District and ~~third-party~~~~third-party~~ technology providers that provide services through a contract with the District are prohibited by State law from electronically accessing or monitoring certain features on school-issued devices provided to students unless a legally permissible exception exists. School-issued devices are defined as any hardware, software, devices, or accounts that a School District provides to an individual student for ~~dedicated student use~~~~that student's personal use~~. The prohibited features include location-tracking features of a school-issued device, audio or visual receiving, transmitting, or recording features of a school-issued device, and student interactions with a school-issued device including, but not limited to, keystrokes and web-browsing activity.

"Student" means an individual currently enrolled in the School District in any of grades kindergarten through twelve (12).

However, the District and ~~third-party~~~~third-party~~ providers are permitted to access and monitor student devices in the following circumstances:

- A. The activity is limited to non-commercial educational purposes for instruction, technical support, or exam proctoring by School District employees, student teachers, staff contracted by ~~the~~ District, a vendor, or the Department of Education and Workforce ("DEW"); ~~and notice is provided in advance;~~
- B. The activity is permitted under a judicial warrant or subpoena unless otherwise prohibited by State or Federal law;
- C. The District or a technology provider is notified or becomes aware that the device is missing or stolen;
- D. The activity is necessary to prevent or respond to a threat to life or safety, and the access is limited to that purpose;
- E. The activity is necessary to comply with Federal or State law; and
- F. The activity is necessary to participate in Federal or State funding programs.

Annually, the Board provides notice to parents and guardians of enrolled students that it generally monitors student devices in one (1) or more of the permitted circumstances. In the event that one (1) of the permissible circumstances listed in B, C, or D above prompts access to a student's device and the District initiates responsive action, the District will notify parents in writing within seventy-two (72) hours of accessing the device. The notice will include an explanation of the circumstances which prompted the access, what features were accessed, and a description of the threat posed, if applicable. This notice is not required at any time when the notice would pose a threat to life or safety. ~~If the notice itself would cause a threat to life or safety, the District will provide the notice within seventy two (72) hours after the threat has ceased.~~

A contract entered into between a school district and a county board of developmental disabilities, educational service center, joint vocational school district, another school district, or an information technology center for services, including the general monitoring or access of school-issued devices, shall indicate which entity is responsible for providing notice under this section.

R.C. 3319.325, 3319.326, 3319.327

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