



Policy Number: 3070

Dated: Updated 06/28/2022

ELECTRONIC DEVICE POLICY

PURPOSE

American Leadership Academy recognizes the fact that the responsible use of electronic devices in the classroom may be beneficial to a student's education; however, electronic devices can also have the effect of distracting, disrupting and intimidating others in the school setting and leading to opportunities for academic dishonesty and other disruptions of the educational process. In order to maintain and secure an orderly learning environment and promote respect and courtesy regarding the use of electronic devices, ALA has established the following rules and guidelines governing student use of electronic devices and procedures to address student misuse.

DEFINITIONS

1. **Electronic Device:** A privately owned device that is used for audio, video, or text communication or any other type of computer or computer-like instrument which include, but is not limited to, cellphones, MP3 devices, iPads, tablets, personal digital assistants (PDAs), compact disc players, portable game consoles, cameras, digital scanners, laptop computers, eReaders and other electronic or battery powered instruments which transmit voice, text, or data from one person or entity to another. This also includes hands-free devices (Bluetooth) connected to devices listed above.
2. **Cyber Bullying:** The use of e-mail, web pages, text messaging, blogs, instant messaging, three-way calling or messaging, or any other electronic means for aggression, intimidation, or harassment against another person.
3. **Sexting:** The taking, disseminating, sending, sharing, or possession of sexually explicit messages, photographs, or images by electronic devices.
4. **Unauthorized Recording:** Any unauthorized audio recordings, capture of images, transmissions of recordings or images, or invasions of reasonable expectations of student and employee privacy.
5. **Reasonably Secure:** A reasonably secure location is one where there is no expectation of student access and the device is within a contained space such as a drawer or basket in a "teacher only" area such as behind the teacher's desk. As long as the teacher follows due diligence in securing the electronic device in a secure location, any loss or damage of the device is at the risk of the student.
6. **Individualized suspicion:** Information that the individual has violated this policy and generally required for constitutional search (including personal belongings).
7. **Reasonable suspicion:** Does not need to be based on a single factor, but on totality of the circumstances. Does not require absolute certainty, but only sufficient probability.
8. **Medical reasons:** A student's illness that requires the use of a monitoring app on their phone.

STUDENT USE OF ELECTRONIC DEVICES

Electronic devices may be used during the school day, during school-sponsored activities or transportation as follows:

1. Students may have electronic devices in their possession during the regular school day, but the device must remain out of sight in a backpack or locker and be turned off or on a silent mode. This includes during lunch and transition times.
2. Electronic devices may be used if specifically allowed by law, an IEP, a Section 504 Accommodation Plan, a Health Care Plan, or testing/assessment directions.
3. Students may use an electronic device in an emergency situation that threatens the health, safety or well-being of students (including themselves), school employees or others.
4. Students may use an electronic device for medical reasons.
5. If students intentionally use or respond to electronic devices during the school day the electronic device may be confiscated.
6. Devices may be retrieved by individuals designated by the school. Students may also be subject to school discipline.
7. Teachers may opt to gather devices to be held in a reasonably secure place during instructional, curricular or extracurricular time (including rehearsal, practice, or extracurricular activities) as deemed beneficial to the purpose at hand.

EMPLOYEE USE OF ELECTRONIC DEVICES

1. All employees are responsible for ALA-issued devices at all times and misuse of devices may have employment consequences.
2. Employees may use privately-owned electronic devices on school premises or at school sponsored activities when the employee has supervisory duties only as allowed by ALA.
3. ALA employees are required to uphold the appropriate use of devices for educational purposes. Any educator who allows students to use school devices in a manner inconsistent with the rules may be in violation and may be subject to disciplinary consequences.
4. ALA employees cannot use school or private electronic devices at any time or place to access inappropriate or pornographic images on school premises, which is illegal, may have both criminal and employment consequences, and where appropriate, shall be reported to law enforcement.
5. ALA will follow the school policy and local laws, when necessary, to report the misuse of electronic devices.
6. ALA will follow disciplinary actions toward students or employees or both for violation of local policies regarding the use of electronic devices.

VIOLATIONS

1. Students cannot use electronic devices during school hours.
2. Students cannot use electronic devices at any time or place for/to:
 - a. Activities which disrupt the educational environment.
 - b. Illegal activities in violation of state or federal laws or regulations.
 - c. Unethical activities, such as cheating on assignments or tests.
 - d. Immoral or pornographic activities, including, but not limited to sexting.

- e. Activities which threaten, humiliate, harass, or intimidate others.
- f. Activities in violation of ALA policies and procedures relating to student conduct and harassment.
- g. Activities which invade the privacy of others.
- h. Activities which constitute bullying or cyber bullying.
- i. Engage in any unauthorized audio recordings, capture of images, transmissions of recordings or images, or invasions of reasonable expectations of student and employee privacy.
- j. Obtain unauthorized access, including hacking and other unlawful activities by ALA electronic device users.
- k. Violate the safety and security of students when using electronic mail, chat rooms and other forms of direct electronic communications (including instant messaging).

CONSEQUENCES FOR VIOLATIONS

1. There may be administrative and criminal penalties for misuse of electronic devices and local law enforcement officers may be notified if administration believes a student has misused an electronic device in violation of the law.
2. Students are personally responsible for devices assigned or provided to them by ALA, both for loss or damage of devices and use of devices consistent with ALA directives.
3. The students' use of privately-owned electronic devices to bully or harass other students or employees and result in disruption at school or school-sponsored activities may justify administrative penalties, including expulsion from school and notification to law enforcement.
4. If students use or respond to electronic devices during instructional time, the electronic device will be confiscated
5. Cell phones or electronic devices being used or seen out of a backpack or locker during the school day will be confiscated and students must meet with an administrator before it will be returned. A third confiscation will result in a parent/administrator conference before the phone will be returned.
6. 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:
 - a. In-school suspension
 - b. Suspension
 - c. Loss of extracurricular or honor privileges
 - d. If students are defiant and will not cooperate with school administrators and/or will not surrender electronic device(s), the designated school administrator may take appropriate action for the safety and well-being of the student and other students or employees at the school. The school principal or designee shall notify a parent immediately of additional penalties.

OTHER PROVISIONS

1. 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.
2. Picture taking or recording by students is strictly forbidden in school or school activity private areas, such as locker rooms, counseling sessions, bathrooms, and dressing areas.
3. 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).

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

NOTICE TO STUDENTS AND PARENTS OF POLICY

1. Parents and students shall receive annual written notice of the school's electronic device policy. Written notice may be satisfied by posting the policy on the school's website, publishing the policy in a school handbook or directory, sending the policy to the student's home or any other reasonable means.
2. Parents and students shall receive annual notice of the policy.
3. Parents and students shall receive notice of changes in the school policy in a timely manner and through reasonable means.
4. 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.
5. Schools may require that parents return a copy of the policy with signature indicating that parents have had access to the policy.
6. Information to parents shall provide clear information of how best to contact students during school hours or activities, in lieu of immediate contact by electronic device.

CONFISCATED ELECTRONIC DEVICES

1. Only licensed school personnel (unless other employees are specifically identified in policy) may confiscate student electronic devices.
2. Licensed school employees are discouraged from searching or reviewing material or numbers stored on student electronic devices except under compelling circumstances.
3. 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.
4. School employees will do their best to guard and protect confiscated electronic devices, but are not responsible for loss, damage, or theft.

REFERENCES

UTAH CODE R277-495