

ADMINISTRATIVE PROCEDURE

PORTABLE ELECTRONIC DEVICES

5132

Procedure No.

June 3, 2019

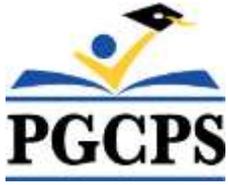
Date

- I. **PURPOSE:** The purpose of this Procedure is to provide a district-wide process to ensure that the use of portable electronic devices (PEDs) is permitted and encouraged for instructional use, provided that it does not disrupt the educational environment.
- II. **POLICY:** Prince George’s County Public Schools (PGCPS) permits the use of PEDs for instructional purposes during the school day, and at other times with the approval of school administrators. School administrators are encouraged to approve staff requests to permit students to use PEDs for instructional use or at other appropriate times on school property. (Board Policy 5132)

The school system assumes no liability for theft, loss, damage or unauthorized use of student-owned PEDs possessed by students on school property.

III. **DEFINITIONS:**

- A. “Cell phone” includes, and is not limited to, iPhones, “smart” phones, smart watches (i.e., Apple Watch, Samsung Galaxy Watch), internet enabled phones and other PEDs that are capable of placing and/or receiving telephone calls (including personal listening devices such as earphones, ear buds, “Bluetooth”, etc.), text messages, browsing the internet, creating and distributing videos, taking photographs, and the like.
- B. “Disrupt the educational environment” includes, and is not limited to, any use of portable electronic devices that interferes with:
1. Teaching and/or learning during school hours, including conduct that is insubordinate, profane, illegal, obscene, violent, disrespectful, harassing, intimidating, a violation of student or staff privacy, or otherwise impermissible in the Student Rights and Responsibilities Handbook; and
 2. The safe operation of the school bus, such as causing distraction for the bus driver due to lights from PEDs that are used when it is dark outside; passing PEDs around the bus, taking photos, recording videos or similar conduct that may affect the bus driver’s ability to safely operate the school bus.
- C. “Electronic communication” means a communication transmitted by means of an electronic device, including, but not limited to, a telephone, cellular phone, smart watch, computer, or pager.
- D. “Portable Electronic Device”, or PED, is an electronic device that emits an audible signal, visual signal, vibration, displays a message, or otherwise summons the possessor. This may include, but is not limited to: cell phones, paging devices, electronic emailing devices, radios, tape players, CD players, DVD players, video cameras, iPods or other MP3 players, portable video game



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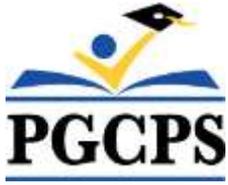
players, laptop computers, personal digital assistants (PDAs), cameras, iPads, e-readers, smart watches, smart pens or other audio recording devices and any device that provides a connection to the Internet.

- E. “School hours” means the time a student enters the school bus or school property until the end of the school’s designated “school day” or when the student exits the school bus. “School Day” means the regular school day with a designated starting time and ending time as defined by the local school system. “School day” may also include different starting and ending times for students with extended instructional hours, or who are involved with school-related field trips or extracurricular activities.
- F. “School property” includes parking lots, school buses, and outside or inside all areas of the school building.
- G. “Turned off” or “powered off” means the device is not activated. Devices in quiet, vibrate or other modes, except off, are not considered turned off or powered off.
- H. “Use” includes carrying or possessing a PED that emits an audible signal, vibrates, displays a message or otherwise summons the possessor. A PED in an “off” position or silent mode and stored out-of-sight in a back-pack, book bag, pocket, purse, vehicle, locker, etc. shall not be deemed “in use.”

IV. **PROCEDURES:**

A. Approved Use of PEDs in Schools:

1. Students are permitted to use PEDs while riding to and from school on PGCPS buses, as long as it does not impact the safe operation of the school bus. Students may not use PEDs while getting on or off the school bus.
2. Students are encouraged to use PEDs for instructional purposes, with school administrator approval.
3. At times when PED use is not permitted, PEDs must be turned off or on silent mode and stored in a back-pack, book bag, pocket, purse, locker, vehicle, etc.
4. The school principal or designee may allow additional times for students to use PEDs at school, such as during lunch period, in approved designated areas, or during the following times:



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- a) Before or after the school day on school property;
- b) During after school, evening or weekend extracurricular activities while on school property;
- c) While attending school sponsored or school related activities on or off school property; or
- d) In an emergency situation with the permission of the teacher, instructor, counselor, coach, school security, program director, or administrator.

B. Approved Use of PEDs for Students with Disabilities:

1. Devices Identified on Student IEPs and 504 Plans

The use of smart pens, audio devices, or other devices used by students with disabilities to access the curriculum or for medical reasons may be approved on a case by case basis by the Individualized Education Program (IEP) or Section 504 team and documented on the IEP or 504 Plan, respectively.

2. PEDs with Secretive Listening Capability

Devices that have the capability to track students through the use of microphones to silently record or eavesdrop on conversations within the school and/or classroom setting are strictly prohibited, unless the recording/listening function is turned off while the student is at school.

If the school cannot ascertain whether the recording/listening function is turned off, the device will be prohibited.

3. Audio Recording of IEP and 504 Meetings

A parent or guardian may record IEP or 504 Team meetings concerning his/her child in accordance with these procedures.

- a) Third parties, including attorneys and advocates retained by parents to participate in IEP or 504 team meetings, may not record meetings without written parental consent.



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- b) A parent must provide written notice of his/her intent to record an IEP or 504 team meeting at least two business days prior to the meeting.
- c) School staff must record IEP or 504 team meetings if a parent elects to record the meeting. School staff must make arrangements to audio tape or record the IEP or 504 team meeting, including securing the necessary recording equipment.
- d) If a parent fails to provide notice of intent to tape record an IEP or 504 Team meeting, he/she will not be permitted to record unless the school is able to make arrangements to simultaneously record the meeting. If a parent fails to provide notice of intent to record an IEP or 504 meeting and arrangements for taping cannot be made by the team on the day of the meeting, the parent shall be informed that audio taping will not be permitted.
- e) IEP or 504 Team meetings will not be rescheduled because a parent failed to provide notice of intent to record unless a postponement is agreed upon by all team members. IEP or 504 Team meetings shall not be rescheduled due to the failure to provide notice of intent to record if the purpose of the meeting is to discuss an emergency matter, if timelines will not be met due to the postponement or a delay is otherwise contrary to the best interest of the student.
- f) Parents, their attorneys, advocates and all IEP or 504 Team members will be informed at the beginning of the meeting that recording will only be permitted during the IEP or 504 meeting. Recording devices shall be turned off immediately upon the conclusion of the meeting and during any breaks from the meeting.

The IEP or 504 Team Chairperson shall announce the time that the meeting is commenced, adjourned, resumed or concluded for the recording. The IEP or 504 Team Chairperson shall also announce that recording must be discontinued during any breaks from the IEP or 504 meeting and immediately upon the conclusion of the meeting.



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- g) Audio taping or recording of conversations by parents, their agents or school staff outside of the official IEP or 504 Team meetings is strictly prohibited. Unauthorized taping shall be immediately reported to the Office of General Counsel.
- h) The IEP or 504 Team shall maintain a copy of all recordings of IEP or 504 Team meetings in the student's Limited Access File as a part of the student's record.
4. While videoconferencing of IEP or 504 Team meetings are permissible, videotaping of the meetings is strictly prohibited in Prince George's County Public Schools. Any function to record the videoconferencing must be kept off until the conclusion of the meeting.
- C. Prohibited Use of PEDs in Schools:
1. The use of PEDs at any time other than those specified in Section IV above.
 2. The use of PEDs in locker rooms or bathrooms.
 3. "Sexting" or the viewing, taking and/or transmission of nude or sexually explicit photos or videos in school.
 4. The unauthorized or unlawful sharing or electronic posting of images or recordings taken or stored on PEDs during school hours and/or on school property.
 5. The recording, photographing and/or transmittal of material that is protected by copyright law and which is not permitted to otherwise be duplicated or reproduced.
 6. Taking, uploading or sharing photos, recording audio, or capturing video during the school day in a manner that reflects bullying, harassment, intimidation or cyber bullying.
 7. Using PEDs in any manner that reflects violations in the Student Rights and Responsibilities Handbook.
- D. Administrators, faculty, and staff may request at any time that students must turn off and put away PEDs, unless the PED is permitted or required under an IEP or 504 Plan. Failure to do so may result in disciplinary action and



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possible confiscation by the school principal. School administrators are required to consult with parents/guardians regarding a student's misuse of a PED and appropriate responses in accordance with the Code of Student Conduct.

E. Responses to Alleged Violations of this Procedure:

1. Any staff member, student or individual having knowledge or reasonable suspicion of alleged violations of this procedure should promptly report this information to the school principal/designee.
2. The school principal/designee will respond to alleged violations of this procedure in accordance with the Student Rights and Responsibilities Handbook.
3. In limited, urgent circumstances requiring immediate action, the school principal/designee may confiscate a PED if he/she reasonably believes that confiscation is necessary to help protect the health, safety or welfare of students or staff. The school principal/designee shall take reasonable measures to label and secure the item until such time the PED is returned to the student or parent/guardian as soon as possible.

F. Waiver of Liability:

1. Student owned PEDs: Students assume full responsibility for their PEDs. The school system may not assume liability for theft, loss, damage or unauthorized use of PEDs possessed by students on school property.
2. PGCPS-issued PEDs: Students are responsible for using PGCPS-issued PEDs in a manner that is consistent with the Information Technology Acceptable Use Guidelines in Board Policy 0115 and Administrative Procedure 0700. Students or parents/guardians shall timely report any damage, such as breakage, malfunction or loss, of PGCPS-issued PEDs to the proper school authority, such as school security, the school principal/designee, or a school administrator. If the cause of the reported damage is due to the student's misuse, PGCPS may require payment for the cost of repair or replacement of the PED.

V. **MONITORING AND COMPLIANCE**

- A. The school principal shall investigate reports of alleged violations of this procedure in accordance with the Student Rights and Responsibilities Handbook.



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B. School system staff shall report to the Office of General Counsel incidents of unauthorized taping, recording, sharing or posting of audio, video, photos or related images of students by parents, their agents or other staff.

VI. **RELATED PROCEDURES:**

Administrative Procedure 0700, Information Technology Services Acceptable Usage Guidelines;

Administrative Procedure 1121, Release and Dissemination of Information;

Administrative Procedure 5142, Gangs, Gang Activity and Similar Destructive or Illegal Behavior;

Administrative Procedure 5143, Bullying, Harassment or Intimidation;

Administrative Procedure 5180, Student Use of Social Media in Schools;

Administrative Procedure 10101, Student Rights and Responsibilities Handbook; and

Administrative Procedure 10201, Disruptive Acts Requiring Security Measures.

VII. **MAINTENANCE AND UPDATE OF THESE PROCEDURES:** These procedures originate with the Division of Student Services and will be updated as needed.

VIII. **CANCELLATIONS AND SUPERSEDES:** This procedure supersedes Administrative Procedure 5132, Cell Phones and Other Portable Electronic Devices, dated August 1, 2014.

IX. **EFFECTIVE DATE:** June 3, 2019