

# KENAI PENINSULA BOROUGH SCHOOL DISTRICT

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## SCHOOL BOARD COMMUNICATION

<b>Title:</b>	Board Policies for First Read		
<b>Date:</b>	August 30, 2013	<b>Item Number:</b>	12a .
<b>Administrator:</b>	Dave Jones, Assistant Superintendent <i>Dave Jones</i> Sean Dusek, Assistant Superintendent <i>Sean Dusek</i>		
<b>Attachments:</b>	<i>BP 5138 Student Possession and Use of Personal Electronic Devices, Including Cellular Phones . . . . . 2</i> <i>BP 6172 Special Education . . . . . 5</i>		

**Action Needed**     **For Discussion**     **Information**     **Other:** \_\_\_\_\_

## BACKGROUND INFORMATION

The attached administrative regulations were reviewed by the Board Policy Committee on May 6, 2013 and June 3, 2013 and reviewed at a Board worksession on August 5, 2013. They are now presented for approval:

- *BP 5138 Student Possession and Use of Personal Electronic Devices, Including Cellular Phones (NEW)*
  - This is a new policy for KPBSD, based on the AASB policy.
- *BP 6172 Special Education*
  - Modified per AASB.
  - Change as 4 AAC 52.115 now requires evaluation and placement within 90 calendar days (vs. previous 45 days)

## ADMINISTRATIVE RECOMMENDATION

The administration recommends approval.

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## NEW POLICY

Students

BP 5138(a)

### **STUDENT POSSESSION & USE OF PERSONAL ELECTRONIC DEVICES, INCLUDING CELLULAR PHONES**

The School Board recognizes that many students possess and use cell phones and other personal electronic devices. These devices serve an important purpose in facilitating communication between the student and his or her family, as well as serving as tools to access electronic information. In the school setting, personal electronic devices are permitted so long as their use is consistent with this policy and does not interfere with the educational process or with safety and security.

*(cf. 5030 – School Discipline and Safety)*

#### **Educational Uses**

In certain instances, there is educational value in utilizing personal electronic devices in classrooms when such devices aid in extending, enhancing, and/or reinforcing the students' learning process related to the instructional objectives of the class. Approval for student use of such devices will be at the discretion of the classroom teacher, upon approval of the instructional use by the building administrator.

Use of personal electronic devices will be permitted if provided for in a student's Individualized Education Program (IEP) or Section 504 plan.

*(cf. 6159 – Individualized Education Program)*

If use of a personal electronic device is required in individual instances (not provided for in an IEP or 504 plan) to assist a student with the student's education, or in emergencies, permission must be obtained in writing from a building administrator prior to use of the personal electronic device at any time when such use would otherwise be prohibited by this policy.

#### **Conditions of Use**

Students may possess and use personal electronic devices including, but not limited to, cell phones, laptops, tablets, music players, etc., subject to limitations of this and other policies of the district and under the following conditions.

Personal electronic devices shall not be turned on or used in any way: (1) during instructional time; (2) during other school sponsored and supervised group activities during the school day (for example, student assemblies, awards, or other public ceremonies, etc.); or (3) when their use is otherwise prohibited by school personnel.

**STUDENT POSSESSION & USE OF PERSONAL ELECTRONIC DEVICES, INCLUDING CELLULAR PHONES** (continued)

Instructional time includes the entire period of a scheduled class and other time when students are directed to report to and participate in any instructional activity. The principal may establish, and school personnel may enforce, additional guidelines limiting or prohibiting the possession and use of personal electronic devices as appropriate to campus needs.

Note: The following optional paragraph reflects the guidelines used by the Anchorage School District to specify permitted uses based on grade level. It may be revised or deleted as appropriate.

High school students may use cellular phones and other personal electronic devices before and after school and during the student's lunch period. Elementary and middle school students (grades K-8) may use such devices only before and after school. Additionally, no student may use a cellular phone or personal electronic device in a manner, or at a time, that interferes with or is disruptive of other students' instructional time.

During school and school sponsored activities, students will comply with this policy and with administrative and staff member directives regarding use. Students are required to turn cell phones and other personal electronic devices over to school personnel when requested. Students who refuse to do so are subject to disciplinary action.

A cellular phone or personal electronic device that has been confiscated by the district and not turned over to law enforcement will be released/returned to the parent/guardian when no longer necessary for investigation or disciplinary proceedings. As appropriate, the cellular phone or personal electronic device may be returned directly to the student.

The district assumes no responsibility for loss or damage to personal property of students, including cell phones and other personal electronic devices, whether in the possession of students or if confiscated by school personnel pursuant to this policy.

**Prohibited Conduct**

Possession of a cellular telephone or other personal electronic device by students is a privilege. This privilege will be forfeited by any student who fails to abide by the terms of this policy, or otherwise engages in misuse of the device so as to violate the law or any other school or district rule. In addition to those conduct rules set forth elsewhere, the following actions are strictly prohibited and may result in disciplinary action:

**STUDENT POSSESSION & USE OF PERSONAL ELECTRONIC DEVICES, INCLUDING CELLULAR PHONES** (continued)

1. Accessing and/or viewing an Internet site that is otherwise blocked to students at school.
2. Sending an e-mail, text message or other communication that harasses, intimidates, threatens, bullies, or discriminates against another individual.
3. Taking, sending, downloading or uploading a harassing, threatening, or inappropriate photograph of anyone.
4. Using a camera in a restroom, dressing room, or locker room, or taking a photo of any person without permission.
5. Using a camera or other recording device to record or capture the content of tests, assessments, homework, or class work without express prior permission from the instructor.
6. Hacking or intentionally obtaining, accessing, or modifying files, passwords, or data belonging to others.

*(cf. 5131 – Conduct)*

*(cf. 5131.4 – Campus Disturbances)*

*(cf. 5131.41 – Violent and Aggressive Conduct)*

*(cf. 5131.43 – Harassment, Intimidation and Bullying)*

*(cf. 5131.9 – Academic Honesty)*

*(cf. 5137 – Positive School Climate)*

*(cf. 6161.4 – Acceptable use policy/ Internet safety policy)*

**Searches**

The contents of a cellular phone, camera, or other personal electronic device may be searched to determine ownership, to identify emergency contacts, or upon reasonable suspicion that a school or district rule or the law has been violated.

*(cf. 5145.12 – Search and Seizure)*

**KENAI PENINSULA BOROUGH SCHOOL DISTRICT**  
**Adoption Date: \_\_\_\_\_**

**SPECIAL EDUCATION**

~~Whenever possible, the~~ The School Board desires ~~both non-handicapped and handicapped~~ children with and without disabilities to share an interactive educational environment which nurtures understanding, cooperation and mutual respect.

~~Upon the identification of a student's exceptional need(s), the Superintendent shall appoint an individualized educational program team to consider those needs,~~ A student's IEP team shall determine the content of the student's individualized educational program (IEP) and make placement decisions for the least restrictive ~~appropriate~~ environment that is educationally appropriate.

~~Note:~~ 4 AAC 52.590 requires the District to establish written procedures for the identification of children in need of a surrogate parent and for the appointment and removal of surrogate parents. AS 14.30.272 requires the District to inform parents/guardians of ~~exceptional~~ children with disabilities of the procedural safeguards provided by law. 4 AAC 52.190 requires written notice before initiating or changing a child's identification, evaluation or placement and when refusing a parent's request to initiate or change a child's identification, evaluation or placement.

The Superintendent shall establish written procedures required by law and shall ensure District compliance with procedural safeguards, including appropriate notices to parents/guardians established by state and federal laws and regulations.

~~Note:~~ 4 AAC 52.115 requires evaluation and placement within 45-90 calendar days of obtaining parental consent ~~unless a time extension is agreed upon by all parties.~~ ~~4 AAC 52.140 requires~~ for evaluation. ~~However,~~ completion of an individualized education plan must occur within 30 days after determining a child's eligibility.

Services will be provided in accordance with a student's IEP once parental consent or administrative or judicial proceedings authorize the provision of special education and related services.

*(cf. 3541.2 - Transportation for Exceptional Students)*

*(cf. 5144.2 - Suspension and Expulsion (Individuals with Exceptional Needs))*

*(cf. 6146.4 - Differential Graduation and Competency Standard Requirements for Individuals with Exceptional Needs)*

*(cf. 6164.4 - Child Find)*

*(cf. Special Services Program Handbook)*

~~Legal Reference: (See next page)~~

**Instruction**

BP 6172(b)

**SPECIAL EDUCATION** (continued)

*Legal Reference:*

ALASKA STATUTES

14.30.180-14.30.350 *Education for children with disabilities*

ALASKA ADMINISTRATIVE CODE

4 AAC 52.010-4 AAC 52.990 *Education for children with disabilities*

UNITED STATES CODE, TITLE 20

1232g *Family Educational Rights and Privacy Act of 1974*

1400 *et seq. Individuals with Disabilities Education Act*

CODE OF FEDERAL REGULATIONS, TITLE 34

99.10-99.22 *Inspection, review and procedures for amending education records*

300.340-349 *Individualized education programs*

300.500-300.514 *Due process procedures for parents and children*

300.550-300.553 *Least restrictive environment; alternative placements; placement; nonacademic settings*

**KENAI PENINSULA BOROUGH SCHOOL DISTRICT**

**Adoption Date: 6/2/2008**