



## **SECTION V: EMPLOYEES**

## **POLICY 5395**

### **USE OF PERSONAL WIRELESS DEVICES AND ELECTRONIC ACCOUNTS**

The District requires that all individuals devote their full attention to education while at school or during education activities. Accordingly, the District expects both employees and students to limit their use of personal wireless devices and personal electronic accounts at school. Wireless devices include, but are not limited to, cell phones, laptops, cameras, GPS systems, any type of device capable of intercepting or recording a conversation, any type of device capable of providing visual surveillance or images, recorders, etc. Electronic accounts include, but are not limited to, accounts that allow digital communication such as email and social media accounts.

Regardless of the type of technology used, no individual may make any type of surreptitious recording of others on District property. Additionally, no person may use any type of technology to remotely monitor, listen to, or view actions occurring at school or school activities. Personal wireless devices not otherwise prohibited shall be turned off and out-of-sight in locations such as restrooms, locker rooms, changing rooms, etc. (“private areas”). The use of any audio/visual recording and camera features are strictly prohibited in private areas. Employees who observe a violation of this provision shall immediately report this conduct to a supervisor, the building principal or other administrator.

#### Employees

Personal wireless devices may only be used during work time if the use of the device furthers the employee's performance of his/her professional responsibilities.

Employees will make reasonable efforts to use District resources rather than personal wireless devices or personal electronic accounts for electronic or digital communications with other employees, parents, and students and for tasks related to their employment. By using personal wireless devices or personal electronic accounts to communicate with other employees, parents, and students or to perform tasks related to their employment, employees acknowledge that they are creating records that may be subject to Oklahoma’s laws related to Open Records (51 OKLA. STAT. § 24A.1 *et seq.*). Employees consent to retain and provide access to such communications or records to school District administration upon request. This consent survives any changes in the employment relationship.

No individual may use any personal wireless device while operating a District vehicle or while conducting school business in personal vehicle.

Personal wireless devices may not be used to photograph or record conversations or events outside private areas without first obtaining consent to record from all parties. In the case of students, permission from the building principal must be obtained. Administrative approval for recordings of students will take into consideration whether prior approval has been granted from parents/guardians and whether the recording would identify a specific category of students such as special education students.

Personal wireless devices may only be shared with students for emergency use.



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No employee may use a personal wireless device to engage in conduct which is illegal or which could be construed as inappropriate conduct with a student or students. In the event an employee receives an inappropriate electronic or digital communication from a student or parent, the communication must be promptly reported to the employee's supervisor.

The District fully acknowledges that personal wireless communications devices are the personal property of the employee. Unless an administrator has reasonable suspicion that an employee's personal equipment contains prohibited content, an administrator may not inspect an employee's personal equipment without the employee's express consent.

**Warning:** Possessing, taking, disseminating, transferring, or sharing obscene, pornographic, lewd, or otherwise illegal images, photographs, or communications, whether by electronic data transfer or otherwise (commonly called texting, sexting, emailing, and other modes of electronic or digital communication) may constitute a CRIME under state and/or federal law. Any person possessing, taking, disseminating, transferring, or sharing obscene, pornographic, lewd or otherwise illegal images, photographs, or communications will be reported to law enforcement and/or other appropriate state or federal agencies, which may result in arrest, criminal prosecution, and inclusion on sexual offender registries.

Source: *Broken Arrow Board of Education policy adopted, November 12, 2018.*