

PUBLIC SCHOOL ELECTRONIC DEVICE

POLICIES

2008 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Sheryl L. Allen

Senate Sponsor: _____

LONG TITLE

General Description:

This bill requires a local school board or governing board of a charter school to adopt a policy that governs the possession and use of electronic devices at a school.

Highlighted Provisions:

This bill:

- ▶ requires a local school board or governing board of a charter school to adopt a policy that governs the possession and use of electronic devices at a school;
- ▶ specifies certain required and permissible elements of the policy; and
- ▶ allows the State Board of Education to make rules that provide:
 - additional direction for school district and charter school policies; and
 - a model policy for local boards of education and charter schools.

Monies Appropriated in this Bill:

None

Other Special Clauses:

This bill takes effect on July 1, 2008.

Utah Code Sections Affected:

ENACTS:

53A-3-427, Utah Code Annotated 1953



28 *Be it enacted by the Legislature of the state of Utah:*

29 Section 1. Section **53A-3-427** is enacted to read:

30 **53A-3-427. Electronic devices -- Policy governing possession and use at a school.**

31 (1) A local school board or governing board of a charter school shall adopt a policy
32 that governs the possession and use of electronic devices at a school.

33 (2) The policy adopted under Subsection (1) shall include:

34 (a) the definition of an electronic device that includes a device:

35 (i) used for audio, video, or text communication; or

36 (ii) that may interfere with educational processes;

37 (b) the scope of coverage for the policy, including clear rules for school premises,
38 school hours, school activities, after school activities, school sponsored activities held off of
39 school premises, and school transportation;

40 (c) restrictions, if any, on when or where possession or use of an electronic device is
41 absolutely prohibited;

42 (d) restrictions on when or where possession of a deactivated electronic device may be
43 allowed, but use or possession of an activated device is prohibited;

44 (e) restrictions or prohibitions on unauthorized audio recordings, capture of images,
45 transmissions of recordings or images, or other invasions of reasonable expectations of privacy;

46 (f) prohibitions on the use of an electronic device in a way that threatens, humiliates,
47 harasses, or intimidates another person;

48 (g) procedures to report the misuse of an electronic device;

49 (h) the confiscation of a misused electronic device and the requirement for a student's
50 parent or guardian to claim a misused electronic device; and

51 (i) other potential disciplinary actions for the misuse of an electronic device.

52 (3) The policy adopted under Subsection (1) may include:

53 (a) separate provisions for a student, an employee, or another person at a school
54 setting;

55 (b) exceptions for special situations and emergencies;

56 (c) restrictions on the use of an electronic device by an employee operating a school
57 vehicle;

58 (d) permitted uses of an electronic device for educational or instructional purposes; and

59 (e) additional provisions or restrictions suited to the school district or charter school.
60 (4) In accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, the
61 State Board of Education may make rules that provide:
62 (a) additional direction for school district and charter school policies; and
63 (b) a model policy governing the use of electronic devices for consideration or
64 guidance to local boards of education and charter schools.
65 Section 2. **Effective date.**
66 This bill takes effect on July 1, 2008.

Legislative Review Note
as of 1-11-08 3:39 PM

Office of Legislative Research and General Counsel

H.B. 295 - Public School Electronic Device Policies

Fiscal Note

2008 General Session

State of Utah

State Impact

Enactment of this bill will not require additional appropriations.

Individual, Business and/or Local Impact

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.
