

Sec. 1. DEFINITIONS

“Personal communication device” means:

- A telephone;
- A cell phone, such as a smartphone or flip phone;
- A tablet;
- A smartwatch;
- A radio device;
- A paging device; or
- Any other electronic device capable of telecommunication or digital communication.

The term “personal communication device” does not include an electronic device provided to a student by UT Tyler University Academy.

Tex. Educ. Code § 37.082(d).

“School property” means anywhere on a UT Tyler University Academy campus or in a UT Tyler University Academy facility where instruction is provided, including but not limited to: classrooms, hallways, gyms, cafeterias, band halls, and all other extracurricular spaces; outdoor fields, tracks, and other athletic areas; all breezeways, courtyards, playgrounds, and other outdoor areas, specifically including all school parking lots.

The term “school property” excludes off-site education locations where the facility is subject to rules outside the control of UT Tyler University Academy. This includes off-site dual credit college course attendance. While at an off-site educational location, students must follow any communication device requirements in place at that location.

“School day” means the time of day beginning at 7:30 a.m. until 2:30 p.m.

“Use” is defined as a device in possession of a student that is turned on and capable of receiving or sending a communication signal.

“Possession” means being on the person of the student, directly held, in pockets, in a backpack, in a pouch, or otherwise accessible and under the control of the student directly.

Sec. 2. STUDENT USE OF PERSONAL COMMUNICATION DEVICES

a) *Use Prohibited*

UT Tyler University Academy prohibits students from using a personal communication device while on school property during the school day.

b) *Guidelines for Student Possession of Personal Communication Devices*

Students may bring a personal communication device to school; however, all personal communication devices must be powered off, remain unused, and stored in the student’s backpack, or other designated area for storing devices. Students are prohibited from powering on or using their personal communication devices during the school day, and should not have a device in their hands at any time during the school day.

c) *Confiscation and Disciplinary Consequences*

Each UT Tyler University Academy campus will designate an appropriate secure location in the school where confiscated student personal communication devices will be kept, and a process to ensure the school can identify which student is the owner of each device that is confiscated.

All UT Tyler University Academy administrators and campus staff are authorized to confiscate a personal communication device used in violation of this policy. If a staff member confiscates a device, the staff member should bring the device to the designated storage location when convenient during the day, and the staff member remains responsible for the device until then.

Disciplinary consequences for students who use a personal communication device while on school property during the school day will be in accordance with the Student Code of Conduct, including any progressive sanctions for ongoing violations.

UT Tyler University Academy may dispose of a confiscated personal communication device in any reasonable manner after having provided the student’s parent 90 days’ prior notice in writing of UT Tyler University Academy’s intent to dispose of the device.

Tex. Educ. Code § 37.082.

d) *Exception for Certain Authorized Uses*

UT Tyler University Academy authorizes the use of a personal communication device:

- 1) Necessary to implement an individualized education program or a plan created under Section 504 of the Rehabilitation Act of 1973, or a similar program or plan.
- 2) By a student with a documented need based on a directive from a qualified physician. The directive must be provided to the campus principal. A qualified physician shall mean a physician licensed to practice in Texas. The directive must state the conditions under which the student would need access to and use of the personal communication device during the school day on school property. The parent may be asked to sign consent for school staff to contact the physician should the school require additional

information to comply with the directive. Use authorized under this provision will be conducted in a manner that minimizes disruption to instruction and the school environment, and may be subject to reasonable limitation on time, place, and manner as determined by the campus principal or designee. Authorization under this section can be revoked if the device is being used in a way that is found to disrupt the learning environment.

- 3) Necessary to comply with a health or safety requirement imposed by law or as part of UT Tyler University Academy’s safety protocols. If the Superintendent determines that a legally required health or safety requirement would authorize or require the use of a personal communication device, the Superintendent shall notify all appropriate staff of the circumstances in which this would be authorized or required. The Board must vote to approve any use under this exception.

Campus principals are authorized to use discretion in permitting student use of personal communication devices in emergency circumstances. Any use permitted under this exception must be reported to the Board during the next regularly scheduled Board meeting.

Tex. Educ. Code § 37.082(c).

A student who is provided an exception in accordance with the above remains subject to disciplinary measures if the student uses a personal communication device outside the scope of the documented authorized use.

Sec. 3. NO RESPONSIBILITY FOR DEVICES

If a personal communication device is in the possession of UT Tyler University Academy, the school will take appropriate efforts to keep the device stored and free from damage. However, UT Tyler University Academy ***is not responsible for any damaged, lost, or stolen personal communication devices***. Neither parents nor students will be compensated for devices that have been in UT Tyler University Academy’s possession in the event those devices are lost or damaged while in possession of the school.