

Exhibit 8

Policy 7530.02 - Staff Use of Personal Communication Devices (Revised)

Policy 8606 - Bus Drivers and Cellular Telephone Use (Revised)



Book	Policy Manual
Section	Policies for the Board 33-2
Title	Copy of STAFF USE OF PERSONAL COMMUNICATION DEVICES
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7530.02 - **STAFF USE OF PERSONAL COMMUNICATION DEVICES**

Use of personal communication devices ("PCDs") has become pervasive in the workplace. For purposes of this policy, "personal communication device" includes computers, tablets (e.g., iPads and similar devices), electronic readers ("e-readers"; e.g., Kindles and similar devices), cell phones (e.g., mobile/cellular telephones, smartphones (e.g., BlackBerry, iPhone, Android devices, Windows Mobile devices, etc.)), and/or other web-enabled devices of any type. Whether the PCD is Corporation-owned and assigned to a specific employee or school official or personally-owned by the employee or school official (regardless of whether the Corporation pays the employee or school official an allowance for his/her use of the device, the Corporation reimburses the employee or school official on a per use basis for their business-related use of his/her PCD, or the employee or school official receives no remuneration for his/her use of a personally-owned PCD), the employee or school official is responsible for using the device in a safe and appropriate manner and in accordance with this policy and its accompanying guidelines, as well as other pertinent Board policies and procedures.

Conducting Corporation Business Using a PCD

Employees and school officials are permitted to use a Corporation-owned and/or personally owned-PCD to make/receive calls, send/receive emails, send/receive texts, send/receive instant messages that concern Corporation business of any kind.

Employees and school officials are responsible for archiving such communication(s) in accordance with the Corporation's requirements.

Safe and Appropriate Use of Personal Communication Devices, Including Cell Phones

~~Employees and school officials whose job responsibilities include regular or occasional driving and who use a PCD for business use are expected to refrain from using their device while driving. Safety must come before all other concerns. Regardless of the circumstances, including slow or stopped traffic, employees and school officials should pull off to the side of the road and safely stop the vehicle before placing or accepting a call. Reading or sending a text message, instant message or e-mail, or browsing the Internet using a PCD while driving is strictly prohibited. If acceptance of a call is unavoidable and pulling over is not an option, employees are expected to keep the call short, use hands-free options (e.g., headsets or voice activation) if available, refrain from the discussion of complicated or emotional topics, and keep their eyes on the road. Special care should be taken in situations where there is traffic, inclement weather, or the employee or school official is driving in an unfamiliar area. In the interest of safety for employees, school officials, and other drivers, employees and school officials are required to comply with all applicable State laws and local ordinances while driving, including any laws that prohibit texting or using a cell phone or other PCD while driving.~~

Employees and school officials whose job responsibilities include driving are prohibited from holding or using their device while operating a moving motor vehicle during work duties. Safety must come before all other concerns. Regardless of the circumstances, including slow or stopped traffic, employees and school officials shall pull off to the side of the road and safely stop the vehicle before placing or accepting a call. Reading or sending a text message, instant message or e-mail, or browsing the Internet using a PCD while operating a moving motor vehicle is strictly prohibited. Exceptions to these prohibitions are to

place a call to 911 to report a bona fide emergency or using the telecommunications device with hands-free or voice-activated technology. In cases of reporting a bona fide emergency, if possible, the driver should move to the side of the road and stop the vehicle before using the cell phone, electronic device, mobile phone, or telecommunications device. In the interest of safety for employees, school officials, and other drivers, employees, and school officials are required to comply with all applicable State laws and local ordinances while driving, including any laws that prohibit texting or holding/using a cell phone or other PCD while driving.

~~In situations where job responsibilities include regular driving and accepting of business calls, the employee or school official should use hands-free equipment to facilitate the provisions of this policy.~~

Employees and school officials may not use a PCD in a way that might reasonably create in the mind of another person an impression of being threatened, humiliated, harassed, embarrassed or intimidated.

Duty To Maintain Confidentiality of Student Personally Identifiable Information - Public and Student Record Requirements

Employees and school officials are subject to all applicable policies and guidelines pertaining to protection of the security, integrity and availability of the data stored on a PCD regardless of whether they are Corporation-owned and assigned to a specific employee or school official or personally-owned by the employee or school official.

PCD communications, including calls, text messages, instant messages, and e-mails sent or received, may not be secure. Therefore, employees should use discretion when using a PCD to relay confidential information, particularly as it relates to students.

Additionally, PCD communications, including text messages, instant messages and e-mails sent and/or received by a public employee or school official using his/her PCD may constitute public records.

Further, PCD communications about students, including text messages, instant messages and e-mails sent and/or received by a Corporation employee or school official using his/her PCD may constitute education records if the content includes personally identifiable information about a student.

Communications, including text messages, instant messages and e-mails sent and/or received by a Corporation employee or school official using his/her PCD, that are public records or student records are subject to retention and disclosure, upon request, in accordance with Policy 8310 – Public Records. PCD communications that are student records should be maintained pursuant to Policy 8330 – Students Records.

It is the responsibility of the Corporation employee or school official who uses a PCD for Corporation business-related use to archive all text messages, instant messages and e-mails sent and/or received using his/her PCD in accordance with the Corporation's requirements.

Finally, PCD communications and other electronically stored information (ESI) stored on the staff member's or school official's PCD may be subject to a Litigation Hold pursuant to Policy 8315 – Information Management. Employees and school officials are required to comply with Corporation requests to produce copies of PCD communications in their possession that are either public records or education records, or that constitute ESI that is subject to a Litigation Hold.

At the conclusion of an individual's employment or official service (whether through resignation, nonrenewal, or termination), the employee or school official is responsible for informing the Superintendent or his/her designee of all public records, student records and ESI subject to a Litigation Hold that is maintained on the employee's or school official's Corporation-owned PCD. The Corporation's IT department/staff will then transfer the records/ESI to an alternative storage device.

If the employee or school official utilized a personally-owned PCD for Corporation-related communications, and the device contains public records, students records and/or ESI subject to a Litigation Hold, the employee or school official must transfer the records/ESI to the Corporation's custody (e.g., server, alternative storage device) prior to the conclusion of his/her employment or official service. The Corporation's IT department/staff is available to assist in this process. Once all public records, student records and ESI subject to a Litigation Hold are transferred to the Corporation's custody, the employee or school official is required to delete the records/ESI from his/her personally-owned PCD.

If a PCD is lost, stolen hacked or otherwise subjected to unauthorized access, the employee or school official must notify the Superintendent immediately so a determination can be made as to whether any public records, student records and/or ESI subject to a Litigation Hold have been compromised and/or lost. Pursuant to Policy 8305 Information Security and its accompanying guidelines, the Superintendent shall determine whether any security breach notification laws may have application to the situation. Appropriate notifications will be sent unless the records/information stored on the PCD were encrypted.

The Board prohibits employees and school officials from maintaining the following types of records and/or information on their PCDs:

- A. social security numbers
- B. driver's license numbers
- C. credit and debit card information
- D. financial account numbers
- E. student personally identifiable information
- F. information required to be kept confidential pursuant to the Americans with Disabilities Act (ADA)
- G. personal health information as defined by the Health Insurance Portability and Accountability Act (HIPAA)

Employees and school officials are responsible for making sure no third parties (including family members) have access to records and/or information, which is maintained on a PCD in their possession, that is confidential, privileged or otherwise protected by State and/or Federal law. It is suggested that employees lock and password protect their PCDs when not in use.

Privacy Issues

Except in emergency situations or as otherwise authorized by the Superintendent or as necessary to fulfill their job responsibilities, employees and school officials are prohibited from using PCDs to capture, record and/or transmit the words or sounds (i.e., audio) and/or images (i.e., pictures/video) of any student, staff member or other person in the school or while attending a school-related activity. Using a PCD to capture, record and/or transmit audio and/or pictures/video of an individual without proper consent is considered an invasion of privacy and is not permitted.

PCDs, including but not limited to those with cameras, may not be activated or utilized at any time in any school situation where a reasonable expectation of personal privacy exists. These locations and circumstances include, but are not limited to, locker rooms, shower facilities, rest/bathrooms, and any other areas where students or others may change clothes or be in any stage or degree of disrobing or changing clothes. The Superintendent and building principals are authorized to determine other specific locations and situations where use of a PCD is absolutely prohibited.

Personal Use of PCDs While at Work

Corporation employees may carry PCDs and/or cell phones with them while at work, including while operating Corporation equipment, but are subject to the following restrictions:

- A. Excessive use of a PCD and/or cell phone for personal business during work hours is considered outside the employee's scope of employment and may result in disciplinary action.
- B. Employees using ear buds or other devices which impedes their ability to receive audible instructions or communication from others, or to devote their undivided attention to their work related duties may constitute a risk to the safety of themselves or others. This may also impair the productivity of themselves or others. Such conduct may be subject to disciplinary action.
- C. Employees are personally and solely responsible for the care and security of their personally-owned PCDs. The Board assumes no responsibility for theft, loss, or damage to, or misuse or unauthorized use of, personally- owned PCDs brought onto Corporation property, or the unauthorized use of such devices.

Potential Disciplinary Action

Violation of any provision of this policy may constitute just cause for disciplinary action up to and including termination. Use of a PCD in any manner contrary to local, State or Federal laws also may result in disciplinary action up to and including termination.

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Protecting Children in the 21st Century Act, Pub. L. No. 110-385, Title II, Stat. 4096 (2008)

Children's Internet Protection Act (CIPA), Pub. L. No. 106-554 (2001)

20 U.S.C. 1232g; 34 CFR Part 99



Book	Policy Manual
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Title	Copy of BUS DRIVERS AND CELLULAR TELEPHONE USE
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8606 - BUS DRIVERS AND CELLULAR TELEPHONE USE

It is the policy of the School Board to take every step necessary to maintain the safety of its students while riding in school buses that are used to transport School Corporation students. This policy shall be implemented in compliance with Federal and State law and regulations of the Indiana State Board of Education and the State School Bus Committee.

Definitions:

"Electronic device" includes, but is not limited to, a cellular telephone; personal digital assistant; pager; computer; or any other device used to input, write, send, receive, or read text.

"Mobile telephone" means a mobile communication device that falls under or uses any commercial mobile radio service, as defined in regulations of the Federal Communications Commission, 47 CFR 20.3. It does not include two-way or Citizens Band Radio services.

"Telecommunications device" means an electronic or digital telecommunications device. The term includes a:

- A. wireless telephone;
- B. personal digital assistant;
- C. pager; or
- D. text messaging device.

The term does not include:

- A. amateur radio equipment that is being operated by a person licensed as an amateur radio operator by the Federal Communications Commission under 47 CFR Part 97; or
- B. a communications system installed in a commercial motor vehicle weighing more than 10,000 pounds.

"Text message" means a communication in the form of electronic text sent from a telecommunications device.

Federal and State Laws:

Federal and State law prohibit texting, emailing, and using a telecommunications device or hand-held mobile telephone, including a cellular telephone, while driving commercial motor vehicles, including school buses, except in a bona fide emergency.

Federal regulations prohibit operators of commercial motor vehicles from texting while driving. Federal regulations also prohibit operators of commercial motor vehicles from using a hand-held mobile telephone while driving. For purposes of the Federal regulations, "driving" does not include operating a commercial motor vehicle when the driver has moved the vehicle to the side of, or off, a highway and has halted in a location where the vehicle can safely remain stationary.

State law prohibits a person from using a telecommunications device to:

- A. type a text message or an electronic mail message;
- B. transmit a text message or an electronic mail message; or
- C. read a text message or an electronic mail message;

while operating a moving motor vehicle unless the device is used in conjunction with hands free or voice operated technology, or unless the device is used to call 911 to report a bona fide emergency.

Furthermore, it is a serious traffic violation under State law to drive a commercial motor vehicle while using a hand-held device as described in the Federal regulations at 49 CFR 383 through 384 and 49 CFR 390 through 392.

Prohibitions:

In light of the Corporation's policy to protect the safety of its students to the greatest extent possible and the State and Federal laws referenced herein, all Corporation employees and any independent contractors or employees of independent contractors who drive school buses ~~to transport Corporation students or other motor vehicles to transport Corporation students~~ are prohibited from holding or using a telecommunication device while operating a moving motor vehicle:

As referenced above, an exception to this prohibition is to call 911 to report except in the case of a bona fide emergency. In cases of a bona fide emergency, if possible, the driver should move to the side of the road and stop the vehicle before using the cellular telephone, electronic device, mobile telephone or telecommunications device. A telecommunication device may be used in conjunction with hands-free or voice-operated technology.

~~Furthermore, all Corporation employees are prohibited from using a cellular telephone, electronic device, mobile telephone or telecommunications device to type, transmit or read a text message or an electronic mail message while operating a motor vehicle other than a school bus to transport Corporation students, except in the case of a bona fide emergency. In cases of a bona fide emergency, if possible, the driver should move to the side of the road and stop the vehicle before using the cellular telephone, electronic device, mobile telephone or telecommunications device.~~

~~A Corporation employee who operates a motor vehicle other than a school bus to transport Corporation students is prohibited from using a cellular telephone, electronic device, mobile telephone or telecommunications device to communicate while operating a motor vehicle to transport students, except in the case of a bona fide emergency. In cases of a bona fide emergency, if possible, the driver should move to the side of the road and stop the vehicle before using the cellular telephone, electronic device, mobile telephone or telecommunications device.~~

A Corporation employee who violates this policy shall be subject to disciplinary action, up to and including termination. The Board directs that any contracts entered into with an independent contractor for bus transportation shall provide that: (1) the Corporation requires compliance by the independent contractor and its employees or subcontractors with this policy as a condition of the contract; and (2) the violation of this policy by an independent contractor or its employees or subcontractors may result in the termination of the contract.

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- I.C. 9-13-2-31 ("commercial motor vehicle" defined)
- I.C. 9-13-2-161 ("school bus" defined)
- I.C. 9-13-2-177.3 ("telecommunications device" defined)
- I.C. 9-13-2-177.4 and I.C. 9-21-8-0.5 ("text message" defined)
- I.C. 9-21-8-59 (prohibition against use of telecommunications device while operating a moving motor vehicle)
- I.C. 9-24-6-6(a)(12) (driving a commercial motor vehicle while using a hand-held mobile device)
- 49 C.F.R. 383.5 (definition of "commercial motor vehicle," "electronic device" and "mobile telephone")
- 49 C.F.R. 383.51 (disqualification of drivers)
- 49 C.F.R. 391.15 (disqualification of drivers)
- 49 C.F.R. 392.80 (prohibition against texting while driving)
- 49 C.F.R. 392.82 (prohibition against using a hand-held mobile telephone while driving)