

## **Student Conduct Policy: *Electronic Communication Devices***

### **Purpose—**

While in some instances the possession and use of electronic communication devices or other devices or objects by a student at a school may be appropriate, often the possession and use of such devices or objects by students at school can have the effect of distracting, disrupting and intimidating others in the school setting and leading to opportunities for academic dishonesty and other disruptions of the educational process. The purpose of this policy is to vest in school administrators authority to enforce reasonable rules relating to such objects or devices in the public schools.

### **Definitions—**

1. Electronic devices
  - a. Beepers, pagers, cell phones with and without picture-taking capacity, Blackberries, I-Phones; and
  - b. Hands-free devices (Bluetooth) connected to devices listed above in (a).
2. Individualized suspicion
  - a. Information that individual has violated policy;
  - b. Generally required for constitutional search (including personal belongings);
  - c. Exceptions are possible when privacy interests implicated in search are minimal and where other safeguards are available;
  - d. Not as exacting in the public school setting as in criminal law.
3. Instructional time
  - a. Hours during the school day designated by the school or school district.
4. Lunch time
  - a. Time period in either elementary or secondary schools designated for lunch;

- b. May, in elementary schools, be combined with a noon time recess.

5. Medical reasons

- a. Student's illness, with or without a health care professional's documentation;
- b. Student's recurring illness or medical problem(s).

6. Parent/legal guardian

- a. Person(s) who has legal responsibility for the child's education.

7. Pass time

- a. The period designated in secondary schools between classes or to allow students to move between classrooms.

8. Reasonable suspicion

- a. Reasonable suspicion need not be based on a single factor, but on totality of the circumstances;
- b. Aggregate effect of all information available at time of search;
- c. Does not require absolute certainty, but only 'sufficient probability,' the sort of common-sense conclusion about human behavior upon which practical people are entitled to rely.

9. Recess

- a. Time periods designated in elementary school for exercise or outside activity regardless of whether or not it is designated as instructional time by the school.

10. School or school events

- a. Only hours that make up school day, e.g. from 7:40 a.m. until 2:30 p.m., during students' individual courses or during the entire period of the elementary/intermediate school day
- b. Field trips
- c. Extended school-sponsored trips or activities

- d. Including school-provided transportation to and from curricular activities and extracurricular activities, including athletic events

## **Use of Electronic Devices—**

Electronic devices may be used during the school day, during school-sponsored activities or transportation as follows:

1. Students may have electronic devices in their possession during the regular school day.
2. The devices must remain out of sight during instructional time AND be turned off OR on a silent mode.
3. If students intentionally use or respond to electronic devices during instructional time or during time identified by teachers, electronic devices may be confiscated.
4. Devices may be retrieved by individuals designated by the school. Students may also be subject to school discipline.
5. A school shall, by written policy, establish a warning schedule for student violations which all school employees shall follow. Exceptions may be made for individual students or for specific time periods as warranted. Time periods shall be interpreted with flexibility.
6. Electronic devices must be either turned off or held in a secure place by the teacher, as determined by individual teacher, during class quizzes, tests and standardized assessments.
7. Electronic devices inappropriately used or disclosed may be subject to search by school administrators based on reasonable suspicion.

[Policy may allow for differences based on grade levels or age of students.]

## **Exceptions—**

Exceptions to general electronic device policy shall be made consistent with District and school policies, but in the judgment and discretion of individual teachers.

1. Medical reasons
  - a. School administrators may give permission for students to possess electronic devices for good cause shown if the devices do not distract from the instructional or education process.
2. Parent request

- a. Parent(s) may request that a student possess an electronic device on active mode at all times during the school day , with the exception of during course or subject tests and standardized assessments. Teachers shall grant such requests for good cause shown. (Good cause may include medical needs or unusual family situations.)
  - i. Parents shall make requests for exceptions to the school district/ school policy to the school principal, designee or individual teacher. Schools shall have forms available at the main office and in the counseling center for parent/student requests.

### 3. Teacher permission

- a. A teacher may permit a student to have an electronic device in his possession at alltimes during a regular school day, including during assessments, based on a written §504 plan, an IEP or legitimate circumstances as determined by the individual teacher.

### 4. Emergency

5. Students may use electronic devices in situations that threaten the health, safety or well-being of students (including themselves), school employees or others.

## **Consequences for Violation of Policy—**

Students will receive one warning prior to discipline for violation of this policy, as determined by the school.

Designated individuals, upon identification, may retrieve their child's electronic device during school hours or by appointment.

A school may impose other consequences for a student's violation of the electronic device policy only following notice of such policy to the school community. Such penalties are not exhaustive and more than one penalty may be imposed, if warranted. Such penalties may include:

1. loss of electronic device privileges
2. disciplinary letter
3. in-school suspension
4. suspension

5. loss of extracurricular or honor privileges or recognition

If students are defiant and will not cooperate with school administrators and/or will not surrender electronic device(s), the designated school administrator may take appropriate action for the safety and well-being of the student and other students or employees at the school. The school principal or designee shall notify a parent immediately of additional penalties.

**Notice to Students and Parents of Policy—**

Parents and students shall receive annual written notice of a school district's/school's electronic device policies. Written notice may be satisfied by posting the policy on the school district's/school's website, publishing the policy in a school handbook or directory, sending the policy to the student's home or any other reasonable means.

Parents and students shall receive notice of changes in the school district/school policy in a timely manner and through reasonable means.

A copy of the most current policy shall always be available in the main office of the school and shall be posted online on the school website, if a school has a website.

Schools may require that parents return a copy of the policy with signature indicating that parents have had access to the policy.

Information to parents should include exceptions to the policy and potential consequences for students. Information to parents shall provide clear information of how best to contact students during school hours or activities, in lieu of immediate contact by electronic device.

Students and parents shall be notified that law enforcement may be contacted, at school's discretion, if circumstances warrant such contact..

**Confiscated Electronic Devices—**

Only licensed school personnel (unless other employees are specifically identified in policy) may confiscate student electronic devices. Licensed school employees are discouraged from searching or reviewing material or numbers stored on student electronic devices except under compelling circumstances. Licensed school employees may search an electronic device if the device is found by the employee for the limited purpose of determining the device's owner.

Schools will do their best to guard and protect confiscated electronic devices, but are not responsible for loss, damage, theft.

Schools will make a good faith effort to notify parent(s) or designated individuals that electronic device is in school's possession and, time and resources permitting, will maintain electronic devices until the end of the school year. Prior to disposal of devices, schools shall attempt to clear all personal data.

**Creative and Innovative Uses for All Electronic Devices—**

With prior approval of the Principal, individual teachers and school employees may use electronic devices to communicate effectively with students and parents and to enhance instruction. Such uses might include:

1. notifying absent students of assignments;
2. communicating with parents when students excel or if students fall behind or are absent;
3. parents notifying school when students are absent or tardy;
4. teachers notifying students of news articles or events that would enhance discussion or student research;
5. providing immediate feedback to students on written work or assignments.

### **Other Provisions—**

Picture taking or recording by students is strictly forbidden in school or school activity private areas, such as locker rooms, counseling sessions, washrooms, and dressing areas.

Students bring electronic devices on school property or to school activities at their own risk. The school is not responsible for lost, stolen or damaged electronic equipment.

Students are strictly responsible for their own electronic devices. If devices are borrowed or taken and misused by non-owners, device owners are jointly responsible for the misuse or policy violation(s).

Students and parents should be informed and understand that confiscated electronic devices may be subject to search by school officials.

A student's penalties for violation(s) of an electronic device policy provision may vary depending upon the intentional nature of the violation, other disciplinary actions the student may have received and specific circumstances of the violation.