

## STUDENT POSSESSION AND USE OF PERSONAL ELECTRONIC DEVICES

Personal electronic devices may be useful tools for students in the educational environment and can play a vital communication role during emergency situations. Possession of an electronic communication device by a student is a privilege that may be forfeited if a student fails to abide by the terms and provisions of this policy, or otherwise engages in misuse of this privilege.

Possession and use of personal electronic devices in school situations shall be regulated to assure that the use or presence of such devices does not disrupt or interfere with the educational process or school operations, or impair the safety, welfare and privacy of students and staff. For purposes of this policy, "personal electronic devices" includes any privately-owned portable electronic device that emits an audible signal, vibrates, displays, receives, records or transmits messages or data, accesses or otherwise connects wirelessly to the internet, to other computers or computer networks or other electronic devices, or otherwise records, summons or delivers an electronic audio or video file or other form of electronic data or communication to the possessor of such device. "Personal electronic devices" include but are not limited to cell phones, laptop computers, watches, personal digital assistants (PDAs), walkie-talkies, beepers, pagers, tape or digital audio or video recorders and cameras, iPods, MP3 players, headphones/earbuds/AirPods, portable game consoles, and other wireless communication devices (such as iPhones, Blackberries and Palm Pilots).

A. *Emergency Circumstance.* In an emergency circumstance involving a school, community, regional, state, or national emergency, students will be allowed to use cell phones as long as it is permitted by school or law enforcement officials.

B. *Parent/Student Contact.* Should a parent or guardian need to speak to his/her child during the school day, s/he should contact the main office. Should a student need to contact his/her parent or guardian during the school day, s/he will be allowed to use one of the school phones.

C. *Prohibited Uses.* Students shall not use personal electronic devices:

- (1) To engage in, promote or facilitate any conduct that otherwise violates the Code of Student Conduct or other Board policies or regulations;
- (2) In any manner that causes or results in disruption of the educational environment or school sponsored extracurricular activities or events, or impairs or interferes with school or District operations;
- (3) In a manner that violates state or federal laws or regulations while on school property or during school-sponsored activities;
- (4) To photograph or record the activities of other students or school personnel on District property or at school or school-sponsored activities, or to disseminate to others such photographs or recordings, in a manner intended to cause or result in, or in a manner the student using the device should reasonably have foreseen would cause or result in, emotional distress, embarrassment or humiliation of a person, or an invasion or violation of any person's reasonable expectation of privacy. Personal electronic devices with cameras may be prohibited in locker rooms, bathrooms, or other locations where the presence of such devices pose an unreasonable risk to the safety, welfare or privacy of other persons, as determined by the building principal. (5) During instructional time.

Instructional time includes the entire period of a scheduled class, and other time when students are directed to report to and participate in any instructional activity;

(6) During other school-sponsored or school-supervised group activities during the school day (for example, during student assemblies, awards, or other public ceremonies, etc.);

(7) In any way that might reasonably create in the mind of another person an impression of being threatened, humiliated, harassed, embarrassed or intimidated;

(8) To capture and/or transmit test information or any other information in a manner constituting fraud, theft, cheating or academic dishonesty. Likewise, students are prohibited from using personal electronic devices to receive such information;

(9) When their use is otherwise prohibited by this policy or by school rules.

The principal may, in his or her discretion, establish and enforce additional rules for use of personal electronic devices appropriate to individual campus needs.

D. *School-sponsored Trips and Extracurricular Activities.* School officials also have the discretion to designate certain times and/or areas on the school campus for student use of personal electronic devices during school hours. Students participating in extracurricular activities or athletics must contact their sponsor or coach for his/her rules involving cell phone use after hours or on after-school bus trips. Sponsors and coaches will set their rules and establish their consequences for the use and/or misuse of these devices.

E. *Storage During Unauthorized Use Times.* It is the student's responsibility to ensure that personal electronic devices in his or her possession are turned off and placed out of sight during times when use is not authorized. Personal electronic devices (1) that produce any audible sound, a ring tone or vibrating alert, whether through a speaker, earphones, buzzer or other means or (2) that are displayed or in plain view at such times shall be deemed to be used in violation of the preceding paragraph B and are subject to confiscation by a school official.

F. *Exceptions.* Only under the following circumstances may students possess and use personal electronic devices during instructional time or when otherwise prohibited by this Policy:

(1) When the use of such devices as a curricular tool is noted in the teacher's syllabus, or is otherwise specifically approved by classroom teacher and/or principal as an aid in extending, enhancing, and/or reinforcing the students' learning process related to educationally appropriate instructional objectives of the class they are attending (i.e., student use of a camera during a photography class; student use of a personal laptop computer for a class presentation).

(2) Students may use personal electronic devices during instructional time or at other times when specifically authorized pursuant to a current individual education plan (IEP), a Section 504 accommodation plan, or a health care plan in force and effect regarding the student.

(3) The use is necessary to respond to or report an emergency. For purposes of this policy, "emergency" shall mean an actual or imminent threat to health or safety of students and/or school personnel, which may result in death, bodily injury or property damage.

(4) When such use is permitted by a prior written authorization of the building principal to accommodate special circumstances or needs of a student. Such authorization may be at the

discretion of the administration based upon a written request demonstrating such need or circumstances from the parent/guardian of the student. The building principal may also approve the use of a pocket pager or other electronic signaling device by a student on school premises, if such use is necessitated by a medical condition or other special circumstance, and the District has received a prior written request for such use from the parent/guardian of the student.

G. *Violations.* Students violating the policy shall be subject to disciplinary action. The principal may also refer the matter to law enforcement if the violation involves an illegal activity (e.g. child pornography). Discipline will be imposed in a progressive manner based on the number of previous violations and/or the nature of or circumstances surrounding a particular violation. The disciplinary progression may be disregarded when the principal deems that the seriousness of circumstances warrants.

Personal electronic devices that are reasonably suspected of being used or possessed in violation of this Policy shall be subject to temporary confiscation by school authorities. Students shall be required to turn personal electronic devices over to any teacher or other school official upon request. Students who refuse to surrender a personal electronic device upon reasonable request by a school official shall be subject to appropriate disciplinary action. If an electronic device is confiscated, the electronic device shall be taken to the school's main office to be identified and placed in a secure area.

If an immediate threat to the safety of persons or property exists or is perceived, law enforcement shall be notified immediately and without delay and the personal electronic device shall be turned over to law enforcement. Except when an immediate threat exists or is perceived, when a serious violation of District policy or rules is suspected, the following persons shall be notified in this order: (1) Superintendent or his/her designee and (2) Chief of Staff.

School officials shall follow applicable law and Board policy regarding searches in connection with the review of pictures, logs, data, files or other information contained in confiscated personal electronic devices, and may refer such matters to law enforcement agencies or officers, as appropriate. Personal electronic devices in District custody will not be searched or otherwise tampered with unless school officials reasonably suspect that the search is required to discover evidence of a potential violation of the law or District policy or rules. If a school official reasonably suspects that a search is required to discover evidence of a potential violation of the law or District policy or rules, before such search is conducted the school official must obtain the written consent of the Superintendent or the respective designees thereof.

Confiscated devices not surrendered to law enforcement agents shall be returned to the student or the parent/guardian after a conference between the principal/designee and the student or parent/guardian of the student as set forth below, depending upon the number of offenses. The confiscated personal electronic device must be picked up at the end of the school day on which the device was confiscated. The District shall not be responsible, financially or otherwise, for any unclaimed personal electronic devices after this time period.

***First offense*** – The device will be confiscated by a school official and brought to the main Office and placed in a secure area. The device will be returned to the student at the end of the day, at which time the student will call his/her parent and explain that this is his/her first cell phone offense.

***Second offense*** – The device will be confiscated by a school employee and brought to the main Office and placed in a secure area. A parent or guardian will be required to pick up the device at the end of the day and will be given another copy of this procedure. (This procedure appears on the Alamogordo Public Schools' website and in the student/parent handbook.) The student will be required to contact his/her parent after school hours to notify him/her of the second violation. Additionally, the student will be given one after-school detention.

**Third offense** – The device will be confiscated by a school employee and brought to the main Office and placed in a secure area. A school official will notify the student's parent or guardian of the third offense. Additionally, the student will be given two after-school detentions.

**Fourth and final offense** – The device will be confiscated by a school official, brought to the main Office and placed in a secure area. A school official will notify the student's parent or guardian of the fourth and final offense and that the student ***will no longer be allowed to bring any electronic device to school for the remainder of the year***. The parent/guardian will be required to sign a form stating that s/he understands that his/her child cannot bring ***any*** electronic device to school for the remainder of the year. Additionally, the student will receive three after-school detentions or other appropriate discipline for his/her continued disregard for these guidelines.

H. *Loss or Damage.* Personal electronic devices are frequently lost or stolen. As with other personal property brought to school or school-sponsored activities, the District is not responsible for lost or stolen electronic devices. Students who possess or use such devices while on District property or while attending school or school-sponsored activities do so at their own risk. The District is not responsible for the security and safekeeping of these items and assumes no responsibility, financial or otherwise for any damage, destruction, or loss of such devices, or for loss of or damage to the contents or data contained therein. Similarly, the District assumes no responsibility for loss, destruction or damage to personal electronic devices or data contained therein as a result of or in connection with any confiscation or search of such devices pursuant to this Policy.