

#### Electronic Devices in School Settings: General Expectations for Students

At all times when students are attending school, participating in any school-sponsored activity, or otherwise subject to the supervisory authority of District officials and school staff, **all** students are responsible for ensuring ~~ensure~~ that their possession, storage, and use of **all** electronic devices and technology-related equipment is appropriate with respect to:

1. **time** (when the device or equipment is being used);
2. **location** (where the device or equipment is being used); and
3. **manner** (how and for what purpose the device or equipment is being used).

This includes using electronic devices in a manner that is consistent with this Policy and with other District/school policies, rules, and directives that address the acceptable use of technology, personal privacy interests, and general student conduct.

If a student engages in misconduct or violates a law or a District or school-level policy, rule, or supervisory directive regarding the possession, storage, and/or use of electronic devices or technology-related equipment, the student is subject to a broad range of potential District-imposed consequences. Specific consequences, including potential disciplinary sanctions, are determined based on the student's specific conduct or violation(s). Consequences may include the temporary confiscation of the device/equipment. District personnel may also refer specific incidents or allegations to law enforcement.

If a student brings a non-required personal electronic device or a related personal electronic item to school or to any District-sponsored or District-supervised activity, the student does so (1) subject to all applicable laws and District policies, and (2) at the student's and any separate device owner's own risk. The District and its agents accept no liability for and, unless required by law, are not responsible for any damage to or any theft, misappropriation, misuse, or other loss of any device or any device data. With a legally-sufficient basis and to the extent otherwise permitted by and consistent with applicable laws, school officials may conduct an appropriately-limited search of specific device content/data.

#### **Device Definitions**

In this Policy, a "**restricted device**" means any of the following electronic devices, except for any device that has been provided/issued by the District and except for any school-required electronic devices:

1. A "**wireless communication device**," which means a portable wireless device that has the capability to provide voice, messaging, or other data communication between 2 or more parties.
2. An electronic device that is capable of recording or transmitting audio, picture, or video content that originates from the device's location.
3. An electronic device that is capable of sending data to and receiving data from a data communications network, including through device pairing.
4. Any electronic device that has a primary purpose of providing entertainment.

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Specific examples of restricted personal devices include cell phones/smart phones, tablet computers, laptop computers, smart glasses, smart speakers, gaming devices, portable electronic media players, and action cameras. Smartwatches may only be used for their clock faces.

#### **Elementary, Intermediate, and Middle Schools: Student Use and Storage of Restricted Devices During the School Day**

1. **Use of Restricted Devices Is Generally Prohibited During the School Day.** Subject to the limited exceptions identified later in this Policy, students who are attending school in-person shall not use a restricted device during **school hours** on a school day. This rule applies during **both** instructional time and non-instructional time (such as lunch, passing time, recess, etc.), while a student is participating in any District-supervised activity away from school grounds during school hours, and to all locations on school grounds.
  - a. School hours **start** as of the time after which a student's absence from school would count toward tardiness or absenteeism on that day.
  - b. School hours **end** at the earlier of (1) the time established for general student dismissal on that day; or (2) the time at which the individual student has departed from the school building for the day and is no longer participating in any school activity.
2. **Device Storage.** At all times during school hours when students are prohibited from using a restricted device and when no exception allowing use applies, students who are attending school in-person are required to have their restricted devices **powered off** and away and out of sight. Expectations for device storage will be established by school rules or, at times, by a situation-specific directive that is communicated to students.

#### **High School and Remote Virtual Learning: Use of Restricted Personal Electronic Devices is Generally Prohibited During All Instructional Time**

At high school grade levels and in all virtual remote learning instructional settings, students are prohibited from using **restricted devices** during **instructional time** unless one of the limited exceptions permitted under this Policy applies. The terms "restricted devices" and "instructional time" are defined below.

#### **Limited Exceptions**

Students who are attending school in-person may appropriately use **restricted devices** at a time during the school day when possession and/or use would otherwise be prohibited by this Policy if one or more of the following limited exceptions applies:

1. **By Direct Permission.** Students may use a restricted device when a school administrator, District staff member, or other adult-in-charge who is responsible for the supervision of the student(s) and/or for the relevant school-related activity has given the student(s) direct

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permission to do so. The permission may be limited to specific devices and to a specific time, location, and manner of use. In addition:

- a. During all **instructional time**, any such permission for student use of a restricted device **must** be for an **educational purpose**. A teacher who is responsible for the student(s) during the relevant instructional time has initial authority to determine appropriate educational purposes.
  - b. A staff member or other adult-in-charge may temporarily excuse a specific student from an instructional setting to go to a non-instructional, school-supervised setting (for example, the school office) so that the student may engage in necessary or important communication that may involve the use of a restricted device.
2. **Students with Disabilities.** A student may use a restricted device, including a restricted device that functions as assistive technology, as authorized and specified in a student's written individualized education program (IEP) or Section 504 plan.
  3. **Students with Health Care Management Needs.** A student may use a restricted device for a health care management reason that has been pre-arranged with an administrator's approval or that is documented in a school-approved individualized health care plan for the student. If not directly involved in the approval process, the principal of the student's school shall be notified of any such arrangements.
  4. **Legitimate Emergencies and Threats.** Subject to situation-specific directives that may be given to the student(s) by a District employee, by another adult-in-charge, or by public safety personnel, a student may use a restricted device to directly and appropriately respond to an event or situation that a reasonable student would identify as an actual health or safety emergency or perceive as an imminent threat that poses a serious risk to health or safety.

Use of a device under any of the limited exceptions identified above must always occur in an appropriate location and in an appropriate manner.

#### **General Rule for School-Provided Transportation Outside of School Hours.**

While a student is utilizing District-provided transportation outside of school hours, students at all grade levels are normally permitted to use restricted devices provided that (1) the manner of use is appropriate for a school-related setting; (2) the student remains reasonably attentive to his or her surroundings; (3) the use does not create a distraction or other safety issue for the vehicle operator or for any other supervising adult; (4) the use does not unreasonably interfere with other passengers; and (5) the student adheres to any other additional rules or situation-specific directives that might be issued.

#### **Student Possession, Storage, and Use of Restricted Devices During School Activities Outside of the School Day**

When students are actively participating in any District-sponsored or District-supervised activity or service outside of the regular school day or are otherwise under the supervision of a

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District/school authority outside of the regular school day, rules regarding students' possession, storage, and use of restricted devices at specific times are determined by the following:

1. Any general rules established by the School Board or administration regarding devices and device use that are established for the particular activity or time period.
2. Any situation-specific directive(s) regarding devices and device use that may be communicated to the student(s) by a District staff member, another adult-in-charge, or any public safety personnel. Such a directive, during the time that it applies, may override a general rule.
3. Use of a restricted device is permitted outside of the school day under the same exceptions for emergencies and threats and for a student IEP, section 504 plan, or health-care management reason as apply during the school day (see above).

#### **Policy Scope and Application**

1. Nothing in this Policy prohibits the administration from establishing, communicating, and enforcing a rule that **prohibits** students from bringing specific restricted devices to school and/or to school-sponsored or school-supervised activities, subject to the limited exceptions defined above for direct permission, a student's IEP or section 504 plan, or a health-care management reason.
2. Nothing in this Policy prevents the administration from establishing rules or issuing directives related to devices/items that are not included in this Policy's definition of "restricted devices."
3. Students shall not use electronic communication devices:
  - a. To engage in bullying or harassment.
  - b. To communicate test answers, photograph tests, or engage in any other conduct that constitutes or facilitates academic dishonesty.
  - c. To take, disseminate, transfer, or share any images, recordings, or other content that is obscene, lewd, illegal, sexually-explicit, or otherwise inappropriate for the school setting.
  - d. In areas where other people have a reasonable expectation of privacy, including all locker rooms, bathrooms, or other changing areas (except in an emergency).
  - e. To create, communicate, share, or post recordings or images of any other student or staff member without permission from that student or staff member (except in an emergency).
  - f. In violation of the District's rules surrounding students' acceptable use of technology.

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## Legal References:

### Wisconsin Statutes

[Section 120.12\(29\)](#)

[student use of wireless communication devices; requirements to adopt a policy, notify students of the policy, and report the policy to the DPI]

[Section 120.13\(1\)](#)

[school board power to set conduct rules and discipline students]

[Section 175.22](#)

[locker room privacy and policy requirement]

[Section 995.55](#)

[limitations on school access to personal Internet accounts]

### Federal Laws

[20 U.S.C. §1400 et seq.](#)

[Individuals with Disabilities Education Act (IDEA); programs and services for students with disabilities; IDEA regulations at [34 C.F.R. Part 300](#)]

[29 U.S.C. §794 et seq.](#)

[Section 504 of the Rehabilitation Act of 1973, as amended, prohibiting discrimination based on a qualifying disability; implementing regulations affecting students at [34 C.F.R. Part 104](#)]

[15 U.S.C. §6501-6506](#)

[Children's Online Privacy Protection Act (COPPA); implementing regulations at [16 C.F.R. Part 312](#)]

[47 U.S.C. §§254\(h\) and 254\(i\)](#)

[Children's Internet Protection Act (CIPA); implementing regulations at [47 C.F.R. §54.520](#)]

## Cross References:

***[Insert appropriate cross references to the policy as applicable to your district.]***

## Adoption Date: