Students and Telecommunication Devices

Definitions:

A. Sexting means sending, forwarding, displaying, retaining, storing or posting sexually explicit, lewd, indecent or pornographic photographs, images or messages by or on a cell phone, computer or other electronic means during school hours or school activities on or off campus; while on school district property, during any recess, lunch or leave periods on or off school district property; or beyond the hours of school operation if the behavior detrimentally affects the personal safety or well-being of school-related individuals, the governance, climate or efficient operation of the school; or the educational process or experience.

B. Disrupting the Learning Environment means any intentional gesture, any intentional electronic communication or any intentional written, verbal or physical act or statement initiated, occurring, transmitted or received by a student at school that a reasonable person under the circumstance should know will have the effect of:

1. Insulting, mocking or demeaning a student or group of students causing substantial disruption in, or substantial interference with, the orderly operation of the school; or
2. Creating an intimidating, threatening, hostile or abusive educational environment for a student or group of students through substantially severe, persistent or pervasive behavior.

C. Third parties include, but are not limited to, coaches, school volunteers, parents or guardians, school visitors, service contractors or others engaged in district business or activities that are not directly subject to District control at inter-district and intra-district athletic competitions or other school events.

Reporting Violations:

Any student, employee, parent or guardian or third party who has knowledge of conduct in violation of this policy or any student who feels he/she has been a victim of sexting, menacing, retaliation or reprisal in violation of this policy will immediately report the concerns to:

A. The building principal or his/her designee;
B. A teacher who will be responsible for notifying the building principal or designee immediately if the matter cannot be adequately addressed by the teacher, or warrants administrative intervention;
C. A counselor, who is responsible for notifying the building principal or designee immediately if the matter cannot be addressed by the counselor or is sufficiently serious to warrant administrative intervention; or
D. The superintendent of schools or designee.

Investigating:

The principal or designee will be responsible for timely investigating a complaint made under this policy. The investigation, witness statements and evidence will be documented along with the outcome of the investigation.

In the course of the investigation, administrative staff will not send, receive or unnecessarily view or transmit sexting photographs or any other inappropriate images on either the district's or

their personal electronic devices. The examination or viewing of the evidence/information will be limited to the extent necessary to determine that misconduct occurred.

Parent or Guardian Notification:
Parents or guardians of all students identified in the report will be notified of the investigation and informed of their students' involvement in the incident.

Discipline:
Students whose behavior violates this policy will be subject to discipline up to and including expulsion. Law enforcement will also be notified when conduct may violate criminal laws.

In addition to discipline, the district will assist students and/or parents or guardians to resolve concerns and issues prior to the use of the formal criminal complaint process. These interventions may include consultation, counseling, education, mediation and/or other opportunities for problem-solving.

In imposing discipline the administrator will take into consideration the context of the events, all relevant circumstances, and the parties' prior behavior, the nature of the behavior and its potential harm and the emotional and/or physical harm resulting from the reported party's actions. Exceptional misconduct penalties may be imposed, if in the opinion of the administration it is warranted.

Sexting Offenses
First offense:

A. Parents or guardians will be notified;
B. The district will file an information report with the police by phone or in writing;
C. The student's phone or electronic device will be confiscated, searched and returned only to a parent or guardian;
D. The student will receive a short-term, out-of-school suspension or an in-school suspension; and
E. The district may impose appropriate interventions.

Second offense:

A. Parents or guardians will be notified;
B. Police will be notified;
C. The student's phone or electronic device will be confiscated, searched and returned only to a parent or guardian;
D. The student will receive a long-term suspension; and
E. The student will be ineligible to participate in extracurricular activities.

Third offense:

A. Parents or guardians will be notified;
B. Police will be notified;
C. The student's phone or electronic device will be confiscated, searched and returned only to a parent or guardian;
D. The student will be expelled; and
E. The student will be ineligible to participate in extracurricular activities.

Adopted: April 9, 2012