

POLICY

UNION COUNTY
EDUCATIONAL
SERVICES COMMISSION
STUDENTS

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Use of Electronic Communication Devices

5516 USE OF ELECTRONIC COMMUNICATION AND RECORDING DEVICES (ECRD)
(M)

~~The Board of Education believes students and/or school staff members should not be subject to having a video or audio recording taken of any student(s) or school staff member(s) for any purpose without the consent of the student, the student's parent or guardian, and/or the school staff member. In addition to protecting the privacy rights of students and school staff members, the Board recognizes such recordings and/or the unauthorized use of cellular phones and other electric communication and recording devices can be disruptive to the educational program. In addition, inappropriate recordings of educational material, student assessment instruments, and/or student assessment reviews can be used to compromise the integrity of the district's educational program or lead to academic dishonesty in the event such recordings are stored and/or transmitted to other students. Therefore, the Board of Education adopts this Policy regarding student use of electronic communication and recording devices.~~

~~"Electronic communication and recording device (ECRD)" includes any device with the capability to audio or video record or is capable of receiving or transmitting any type of communication between persons. An ECRD includes, but is not limited to, cameras, cellular and wireless telephones, pagers/beepers, laptop computers, electronic readers, personal digital assistants (PDAs), two way radios, portable fax machines, video broadcasting devices, and any other device that allows a person to record and/or transmit, on either a real time or delayed basis, sound, video or still images, text, or other information.~~

~~A student is not permitted to have turned on or use an ECRD on school grounds during the school day or when the student is participating in a curricular or school sponsored co-curricular activity.~~

~~A student's personal ECRD may only be used on school grounds in an emergency situation under the direct supervision of a building administrator or designee.~~

~~For the purposes of this policy, "school grounds" means and includes land, portions of land, structures, buildings, and structures that support these buildings, including, but not limited to, administrative buildings, kitchens, maintenance shops, and garages. "School grounds" also includes other facilities as defined in N.J.A.C. 6A:26-1.2, playgrounds, and other recreational places owned by the local municipalities, private entities, or other individuals during those times when the school district has exclusive use of a portion of such land.~~

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~~Students are required to voluntarily submit all cellular telephones and other ECRDs to school staff designated by the Principal immediately upon arrival to school each morning. All devices will remain powered off in a secure location while being stored by administration and returned to students immediately prior to school dismissal.~~

~~Under no circumstances shall any administrator or staff member activate or examine the contents of any cellular phone or other ECRD that was voluntarily submitted or confiscated as a result of a student's mere use, activation or display of the device.~~

~~School officials shall not search the contents of the student's cellular telephones or other ECRDs absent reasonable suspicion to believe that a student has violated or is violating the law or a school rule or regulation beyond mere use, activation, or display of the device at an unauthorized time. If there is reasonable suspicion to believe that the student has committed or is committing a serious violation of law or school rules and regulations (e.g., use of cell phone to cheat, harassment or discrimination, possession of weapons) and there is a reasonable suspicion to believe that a search of a cell phone will reveal evidence of such a violation that cannot be obtained otherwise, school officials may search the cell phone. Efforts shall be made to limit the search to only those applications on the cell phone that would contain evidence of the suspected violation.~~

~~Any cellular telephone or ECRD that is not voluntarily submitted and/or used in violation of this Policy will be confiscated by a school staff member or Principal or designee and the student will be subject to progressive disciplinary action including detention, suspension, mandatory parent conference or disenrollment.~~

~~A student shall not bring or possess any remotely activated paging device on any school grounds, including on a school bus or at a school-sponsored function, at any time and regardless of whether school is in session or other persons are present.~~

~~A student who is an active member in good standing of a volunteer fire company, first aid, ambulance or rescue squad may bring or possess a remotely activated paging device on school property only if the student is required to respond to an emergency and the student provides a statement to the Superintendent from the chief executive officer of the volunteer fire company, first aid, ambulance or rescue squad authorizing the possession of the device by the student at all times and that the student is required to respond to an emergency.~~

~~The Principal or designee will confiscate the remotely activated paging device, take appropriate disciplinary action and shall immediately notify the Superintendent of Schools and the~~

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~~appropriate criminal justice or juvenile justice agency if a student brings or possesses a remotely activated paging device in violation of N.J.A.C. 6A:16-5.8 and this Policy.~~

~~Union County Educational Services Commission maintains no responsibility for the damage or loss of any cellular phone or personal electronic communication and recording device brought onto school grounds by a student.~~

To support school environments in which students can fully engage with their classmates and their teachers, and to focus attention upon instruction, the Board of Education has determined the use of cell phones and other electronic communication devices by students for personal use during the school day and school activities should be limited.

As used in this Policy, “electronic communication device” includes any device with the capability to audio or video record and/or is capable of receiving or transmitting any type of communication with others. An electronic communication device includes, but is not limited to, any type of cameras; cellular and wireless telephones; pagers/beepers; laptop computers; watches; electronic readers; two-way radios; any audio or video broadcasting devices; ear buds; tablets; headphones; and any other device that allows a person to audio and/or video record and/or transmit, in either a real time or a delayed basis, video or still images, text, audio recordings; or other information.

The Board adopts Regulation 5516 and this Policy to address student use of an electronic communication device for personal use on school grounds during the school day, to also include, but not be limited to: during before and after school programs; during any co-curricular activity; and on a school bus.

Nothing in Regulation 5516 and this Policy shall prohibit a student from using an electronic communication device for a purpose documented in a classified student’s Individualized Education Plan (IEP) or a plan developed under Section 504 of the “Rehabilitation Act of 1973,” 29 USC 794. A student may use an electronic communication device to monitor or address a health condition with prior permission from the Principal, in consultation with the school nurse to be documented in the student’s Individual Health Plan.

In addition, the Board believes students and/or school staff members should not be subject to having any type of recording taken of any student(s) or school staff member(s) for any purpose without the consent of the student and the student’s parent or the school staff member. In addition to protecting the privacy rights of students and school staff members, the Board recognizes such recordings can be disruptive to the educational program. ~~In addition,~~ Inappropriate recordings of educational material, student assessment instruments, and/or student assessment reviews can be used to compromise

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the integrity of the district's educational program or lead to academic dishonesty in the event such recordings are stored and/or transmitted to other students.

N.J.S.A. 2C:33-19

N.J.A.C. 6A:16-5.8

Adopted: May 4, 2011

Revised: January 15, 2025