

Montgomery County Schools

Board of Education Update

Presentation: Legal Update: House Bill 959 – Overview

Date: 07/14/2025

Legal Update on Cell Phones HB: 959

House Bill 959 (S.L. 2025-38), signed into law on July 1st, introduces new requirements for public schools regarding cell phones, internet, and social media.

Key Date: By **January 1, 2026**, local school districts must adopt or update policies on internet safety and the use of wireless devices by students.

Our Action: We need to update our policies and student handbooks *before the start of the 2025-2026 school year*. This will be a key discussion at our upcoming Board Meeting.

Three Core Areas:
1. Internet Safety Policy
2. Wireless Communication Policy
3. Instruction on Social Media Safety

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•**Existing Policy:** Montgomery County Schools already has a **Wireless Communication Devices Policy 4318**.

•**Addressing HB 959:** While our current policy addresses many aspects of wireless device use, House Bill 959 introduces new specific requirements that necessitate updates.

•**New Administrative Regulation:** To ensure effective implementation and compliance with HB 959, the district will add an **Administrative Regulation 4318-R** to our existing Policy 4318.

•**Purpose of 4318-R:** This regulation will provide detailed guidance on the procedures and practices for implementing Policy 4318, specifically addressing the new mandates from House Bill 959 concerning:

- Prohibitions on device use during instructional time.
- Specific exceptions for educational, IEP/504, or medical purposes.
- Clear consequences for violations.

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Internet Safety Policy (By January 1, 2026):

- Limit student access to age-appropriate materials on school-provided devices/services.
- Safeguard students using email, chat rooms, and other electronic communication.
- Prohibit unauthorized student access to district data ("hacking").
- Prevent access to websites/software that don't protect student personal information.
- Prohibit and prevent student access to social media platforms, *unless teacher-directed for educational purposes*.
- *Note:* This expands on existing CIPA policies and may require internet filtering software updates.

Wireless Communication Policy (By January 1, 2026):

- Prohibits students from using, displaying, or having a wireless communication device turned on during instructional time.
- **"Wireless communication device"** includes cell phones, tablets, laptops, gaming devices, and smartwatches.

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Exceptions during instructional time:

- Teacher authorization for educational purposes or emergencies.
- Required by a student's IEP or 504 plan
- Required for a student's health care due to a documented medical condition.
- This policy must outline consequences for violations and be submitted to DPI annually by September 1st.

Instruction on Social Media Safety (Starting 2026-2027 school year):

- State Board to add instruction on social media's effects on health (social, emotional, physical) to the standard course of study.
- To be provided at least once in elementary school, once in middle school, and twice in high school.

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Consequences for Unauthorized Use & Liability

Disciplinary Consequences (Consistent with Board Policy 4300):

- **1st offense:** Warning/redirection, parent contact.
- **2nd offense:** Student conference, parent contact by teacher.
- **3rd offense:** Office referral, parent contact, device confiscation (parent must pick up).
- **Aggravating Factors for More Severe Consequences:** Using devices to reproduce tests, hack, bully, incite violence, sext, or other serious policy violations.

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Consequences for Unauthorized Use & Liability

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Device Confiscation:

- Unauthorized use will result in device confiscation by school administration.
- Confiscated devices returned *only to parent or legal guardian*.
- Severe violations (e.g., sexting, bullying) may result in prohibition from having the device on school property for the remainder of the school year.

Liability:

- Students are **personally and solely responsible** for the security of their wireless communication devices.
- The Board of Education and school system are **not responsible** for theft, loss, or damage of devices.

Questions?????



NORTH CAROLINA SCHOOL BOARDS ASSOCIATION

The Role of the School Board as Policy Maker





The board of education's role in a public school system is to establish policy, set goals, and evaluate whether is making progress in achieving those goals.

School board policies are intended to express the school system's mission and the guidelines and programs that support that mission. They create a framework within which the superintendent and the staff can discharge their duties with positive direction. They tell what is wanted. They may also indicate "why" and "how much."

It is inaccurate to simply state, "It is the board's role to make policy and the administration's role to implement policy." The board not only should adopt policies, but also should exercise the appropriate degree of oversight as the administration implements the policies. Are the policies, as adopted, being implemented? Are the policies achieving the desired results?

The Scope of the School Board's Authority

State law provides that "all powers and duties conferred and imposed by law respecting public schools, which are not expressly conferred and imposed upon some other official, are conferred and imposed upon the board." School boards have "general control and supervision of all matters pertaining to the public schools in their respective administrative units and they shall enforce the school law in their respective units." G.S. 115C-36.

Further, state law provides that "local boards of education, upon recommendation of the superintendent, shall have full power to make all just and needful rules and regulations governing the conduct of teachers, principals, and supervisors, the kind of reports they shall make, and their duties in the care of school property." G.S. 115C-47(18).

As with all actions taken by the local board of education, personnel policies adopted by the board must uphold the United States Constitution, the North Carolina Constitution, and comply with applicable federal law and regulations, North Carolina law, regulations adopted by the State Board of Education and the Department of Public Instruction, and federal and state case law that interprets the various statutes and regulations.



Policies versus Regulations

Through policies, the board provides the superintendent and other school administrators with directions as to how to operate the school system.

Generally, policies do not contain the details. Instead, policies are usually implemented through “administrative regulations.”

The superintendent is directly responsible to the board for creating regulations to implement policies. The superintendent may delegate some of this responsibility to senior administrators.

Responsibility for Following Policies and Regulations

School principals and other administrators are responsible for being knowledgeable about both board policies and regulations in the day-to-day operation of their schools.

Failure to follow policy directives and regulations leaves the school system at risk of liability if someone is injured as a result of the failure to follow board policies.

Administrators may be held accountable on their performance evaluations and/or disciplined for failure to follow board policies and regulations.

NORTH CAROLINA SCHOOL BOARDS ASSOCIATION

FINAL THOUGHTS

A policy manual is never “done.” As the law changes and as times change, board policies and regulations will have to be reviewed and perhaps revised or repealed. Never assume that a policy that was legally current several years ago is still current today.





A policy manual, and even school regulations, will never “address every possible situation.” When in doubt, school administrators are encouraged to seek guidance from their supervisor or other more senior administrators. Some questions may require school officials to consult with the board attorney because sometimes the answer to the question is, “it depends . . . .”

Policy Code: 4300 Student Behavior Policies

All decisions related to student behavior are guided by the Chatham County Board of Education's (the board) educational objective to teach responsibility and respect for cultural and ideological differences and by the board's commitment to creating safe, orderly and inviting schools. Student behavior policies are provided in order to establish (1) expected standards of student behavior; (2) principles to be followed in managing student behavior; (3) consequences for prohibited behavior; and (4) required procedures for addressing misbehavior. Teachers, school-based administrators, parents, and law enforcement will be consulted when existing student behavior policies are revised or new such policies are created.

A. Principles

The reasons for managing student behavior are to (1) create an orderly environment in which students can learn; (2) teach expected standards of behavior; (3) help students learn to accept the consequences of their behavior; and (4) provide students with the opportunity to develop self-control. The following principles apply in managing student behavior.

1. Student behavior management strategies will complement other efforts to create a safe, orderly and inviting environment.

2. Positive behavioral interventions will be employed as appropriate to improve student behavior.

3. Responsibility, integrity, civility and other standards of behavior will be integrated into the curriculum.

4. Disruptive behavior in the classroom will not be tolerated.

5. Consequences for unacceptable behavior will be designed to help a student learn to comply with rules, to be respectful, to accept responsibility for his or her behavior and to develop self-control.

6. Strategies and consequences will be age and developmentally appropriate.

B. Communication of Policies

Board policies related to student behavior are codified mainly in the 4300 series. The superintendent shall incorporate information from such policies into a Student Code of Civility that notifies students and parents of school and district behavior expectations, conduct that may subject them to school and district disciplinary sanctions, and the range of disciplinary measures that may be used by school officials. At the discretion of the superintendent, the Student Code of Civility may

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include additional rules needed to implement the board's student behavior policies. To elaborate further on processes for addressing student misbehavior and the use of intervention strategies and consequences, each school will create a student behavior management plan that is consistent with the law, board policies, and the Student Code of Civility (see policy regulation 4303-R: Student Code of Civility). The Student Code of Civility must incorporate by reference any additional student behavior standards, prohibited conduct or disciplinary measures identified in student behavior management plans developed by individual schools. The Student Code of Civility will not impose mandatory long-term suspension or expulsion for specific violations unless otherwise provided in state or federal law.

At the beginning of each school year, principals shall make available to each student and parent all of the following: (1) the Student Code of Civility; (2) any board policies related to behavior that are not part of the Student Code of Civility; (3) any related administrative procedures; (4) any additional discipline- related information from the school's student behavior management plan, including behavior standards, prohibited conduct or disciplinary measures; and (5) any other school rules. This information must be available at other times upon request and must be made available to students enrolling during the school year and their parents.

For the purpose of board policies related to student behavior, all references to "parent" include a parent, a legal guardian, a legal custodian or another caregiver adult authorized to enroll a student under policy 4120, Domicile or Residence Requirements.

C. Applicability

Students must comply with the Student Code of Civility in the following circumstances:

1. while in any school building or on any school premises before, during or after school hours;

2. while on any bus or other vehicle as part of any school activity;

3. while waiting at any school bus stop;

4. during any school -sponsored activity or extracurricular activity;

5. when subject to the authority of school employees; and

6. at any place or time when the student's behavior has or is reasonably expected to have a direct and immediate impact on the orderly and efficient operation of the schools or the safety of individuals in the school environment.

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Notwithstanding the foregoing, students will not be disciplined for constitutionally protected behavior. School officials are encouraged to consult with senior administrators before regulating student expression that may be protected by the First Amendment to the United States Constitution.

D. Consequences for Violations

Violations of school expectations must be addressed in accordance with the guidelines established in the district's Student Code of Civility (see policy 4303R School Plan for Management of Student Behavior).

1. Minor Violations

Minor violations of the Student Code of Civility are those less severe infractions involving a lower degree of dangerousness and harm. Examples of minor violations include the use of inappropriate or disrespectful language, noncompliance with a staff directive, dress code violations, and minor physical altercations that do not involve a weapon or an injury. Aggravating circumstances, however, may justify treating an otherwise minor violation as a serious violation.

Minor violations of the Student Code of Civility may result in disciplinary measures or responses up to and including short-term suspension. Further information regarding the procedures for short-term suspensions is provided in policy 4351, Short-Term Suspension. Other disciplinary measures or responses may include, but are not limited to, the following:

a. parental involvement, such as conferences;

b. isolation or time-out for short periods of time;

c. behavior improvement agreements;

d. instruction in conflict resolution and anger management;

e. peer mediation;

f. individual or small group sessions with the school counselor;

g. academic intervention;

h. in-school suspension;

i. detention before and/or after school or on Saturday;

j. community service;

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k. exclusion from graduation ceremonies;

l. exclusion from extracurricular activities;

m. suspension from bus privileges; and

n. placement in an alternative setting or school.

The student's parent is responsible for transportation that may be required to carry out a consequence. With the exception of suspension from bus privileges, if a parent is unable to provide transportation, another consequence will be substituted.

2. Serious Violations

Serious violations of the Student Code of Civility may result in any of the consequences that may be imposed for minor violations. In addition, serious violations that threaten to substantially disrupt the educational environment may result in long-term suspension, and serious violations that threaten the safety of students, school employees, or school visitors may result in long-term suspension or expulsion.

Certain violations involving firearms or explosive devices may result in a 365-day suspension. Further information regarding the standards and procedures for long-term suspensions, 365-day suspensions, and expulsions is provided in policies 4351, Short-Term Suspension, and 4353, Long-Term Suspension, 365-Days Suspension, Expulsion. (See also policy 4333, Weapons, Bomb Threats, Terrorist Threats, and Clear Threats to Safety, for information regarding 365-day suspensions for certain violations involving firearms or explosive devices.)

E. Enforcement

The superintendent is responsible for supervising the enforcement of the Student Code of Civility to ensure that school disciplinary policies are uniformly and fairly applied throughout the school system and consistent with students' constitutional rights.

Legal References: U.S. Const. amend. I; *Mahanoy Area School Dist. V. B.L.*, 594 U.S. ___, 141 S. Ct. 2038 (2021); G.S. 115C--47, -276(r), -288, -307, -390.1, -390.2

Cross References: Goals and Objectives of the Educational Program (policy 3000), Counseling Program (policy 3610), Domicile or Residence Requirements (policy 4120), Student Behavior policies (4300 series)

Adopted: August 8, 2011

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Revised: July 21, 2014; August 15, 2022; June 3, 2024

Chatham County Schools

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Regulation Code: 4303-R Student Code of Civility

CHATHAM COUNTY SCHOOLS STUDENT CODE OF CIVILITY

Below are suggested ranges of consequences. Principals have discretion to implement or recommend consequences above or below those suggested.

Level I – Level I rule violations are less serious and generally result in in-school interventions or out-of-school violations of no more than five (5) days for first violations. Short-term suspensions are available for subsequent infractions, but are not required. Long-term suspensions are not an option. Any short-term suspension for truancy or tardiness shall not exceed two (2) school days.

Grade Span	First Offense	Second Offense	Third Offense
K-5	Warning	1 to 3 Days ISS	1 to 3 Days OSS
6-8	Warning to 1 Day ISS	3 Days ISS / 1 Day OSS	3 to 5 Days OSS
9-12	Warning to 3 Days ISS	1 to 3 Days OSS	5 Days OSS

In-School Suspension (ISS); Out-of-School Suspension (OSS)

Consequences vary for I-8, I-9, I-10 and I-11

Level II – Level II rule violations involve more serious misconduct that generally warrant a short-term suspension for students in middle of high school, and may warrant short-term suspension with elementary school students. **Principals may recommend a long-term suspension based upon the presence of aggravating factors regarding the severity of the violation and/or safety concerns.**

Grade Span	First Offense	Second Offense	Third Offense
K-5	1 Day ISS	1 Day OSS	3 Days OSS
6-8	3 Days OSS	5 Days OSS	7 Days OSS
9-12	3 Days OSS	5 Days OSS	10 Days OSS

In-School Suspension (ISS); Out-of-School Suspension (OSS)

Consequences vary for II-22 and II-23

Level III – Level III rule violations are those infractions that either threaten the safety of students, staff, or school visitors or threaten to substantially disrupt the educational

environment, and support long-term suspension. The principal may enact a short-term suspension based on the presence of mitigating factors.

Level IV – Level IV is limited to the possession of a firearm or destructive device on educational property, an infraction under both federal and state law mandates a 365-day suspension.

Level V – Level V allows for expulsion of a student, as provided by state statute, for a violation of the Code of Civility, if the student is fourteen (14) years of age or older and the student's behavior indicates that his/her continued presence in school constitutes a clear threat to the safety of other students or employees and the Board determines there is no appropriate alternative education program. Additionally, any student who is a registered sex offender under N.C. General Statutes 14-208.6B may be expelled.

Infraction	**Level I**	**Level II**	**Level III**	**Level IV**	**Level V**
Abusive, Harassing, or Seriously Disrespectful Language		X			
Acts of Terror			X		
Aiding and Abetting		X			
Arson			X		
Assault on a Student			X		
Assault and Serious Injuries on a School Employee			X		
Assault Involving Weapon/Dangerous Instrument/Substances			X		
Attempted Assault on a School Employee			X		
Bomb Threat			X		
Bomb Threat: Aiding/Abetting			X		
Class/Activity Disturbance		X			
Discrimination/Harassment/Bullying		X			
Disruptive Protest		X			
Extortion		X			
Failure to Report Firearm		X			

False Fire Alarm		X			
Fire Setting/Incendiary Material		X			
Firearm/Destructive Device			X	X	
Gambling	X				
Gang and Gang-Related Activity			X		
Hazing		X			
Inappropriate Dress	X				
Inappropriate Language	X				
Inappropriate Literature, Illustrations, or Images		X			
Indecent Exposure/Sexual Behavior		X			
Integrity	X				
Misconduct on School Vehicle	X				
Narcotics, Alcoholic Beverages, Controlled Substances, Chemicals, and Drug Paraphernalia			X		
Non-Compliance	X				
Physical Aggression/Fighting		X			
Property Damage		X			
School/Class Attendance	X				
School Disturbance		X			
School Transportation Disturbance		X			
Search and Seizure		X			
Sexual Harassment		X			
Theft		X			
Threat/False Threat		X			
Tobacco		X			

Trespassing	X				
Unauthorized Commercial Activity	X				
Violation of Technology Responsible Use Policy		X			
Weapons and Dangerous Instruments/Substances			X		
Wireless Communication Devices	X				

LEVEL I:
Restorative Practies, In-School Discipline, Possible Short-Term Suspension Only

Grade Span	First Offense	Second Offense	Third Offense
K-5	Warning / Restorative Practices	1 to 3 Days ISS	1 to 3 Days OSS
6-8	Warning to 1 Day ISS	3 Days ISS / 1 Day OSS	3 to 5 Days OSS
9-12	Warning to 3 Days ISS	1 to 3 Days OSS	5 Days OSS

In-School Suspension (ISS); Out-of-School Suspension (OSS)

Consequences vary for I-8, I-9, I-10 and I-11

I-1: Non-Compliance – Students shall comply with all directions and exhibit appropriate respect toward school personnel and volunteers. Inappropriate conduct includes, but is not limited to, verbal, non-verbal, or physical conduct showing disrespect and horseplay.

I-2: Inappropriate Language – Use of vulgar, profane, or obscene language or gestures.

I-3: Inappropriate Dress – Principals shall exercise appropriate discretion in implementing this policy, including making reasonable accommodations on the basis of students' religious beliefs or medical conditions. Students are expected to adhere to standards of dress and appearance that are compatible with an effective learning environment. Presenting a bodily appearance or wearing clothing which is disruptive, provocative, revealing, profane, vulgar, offensive or obscene, or which endangers the health or safety of the student or others is prohibited. **According to Policy 4316: Student Dress Code, before receiving disciplinary consequences, a student who is not in compliance with the school dress code will be given a reasonable period of time to make adjustments so that he or she will be in compliance.**

Examples of prohibited dress or appearance include, but are not limited to, the following:

a. Clothing and/or jewelry that promotes illegal substances or alcohol.

b. Clothing, jewelry, and/or headwear that is decorated with profane words, vulgar language, gang related signs or colors, obscene pictures, images, or drawings, suggestive slogans, racial slogans, and/or other material reasonably likely to cause a substantial disruption in the school setting, including the Confederate battle flag.

c. No clothing that exposes the stomach, back or undergarments should be worn.

d. No pajama and/bedtime attire is permitted unless approved by administration.

e. Shoes must be worn at all times. Bedroom slippers are not permitted unless approved by the administration.

f. Students are not permitted to wear any adornment such as chains or spikes that reasonably could be perceived as or used as a weapon.

g. Students are not permitted to wear any attire that is prohibited by Policy 4303-R: Code of Civility, III-3 Gang and Gang-Related Activity. Individual schools are free to specify additional examples of dress or appearance that are prohibited at that school under the terms of this policy. If a student's dress or appearance is such that it constitutes a threat to the health or safety of others, distracts the attention of other students or staff from their work, or otherwise violates this dress code, the principal or principal's designee may require the student to change his or her dress or appearance.

I-4: Cell Phone Use – The Board of Education recognizes that phones have become an important tool through which parents communicate with their children. Therefore, students are permitted to possess cell phones on school property so long as they are not, used, displayed, or visible during the instructional day or as otherwise directed by school rules or school personnel.

Administrators may authorize individual students to use cell phones for personal purposes when deemed appropriate. Teachers and administrators may authorize individual students to use the devices for instructional purposes, provided that they supervise the students during such use.

Although use generally is permitted before or after school, use of cell phones may be prohibited on school buses when noise from such devices interferes with the safe operation of the buses. In addition, elementary and middle school students who participate in after-school programs are prohibited from using the wireless communication devices during such programs.

Any device possessed or used in violation of this policy shall be confiscated and returned to students at the end of the day. Repeat violations of the cell phone use policy could require a parent to come to the school to pick up the phone.

I-5: Trespassing – No student shall be on the campus of any school except the one to which the student is assigned without the knowledge and consent of the officials of that school. Students who loiter at any school after the close of the school day will be considered trespassers. A student under suspension from school is trespassing if he/she appears on the property of any school or at any school sponsored activity during the suspension period without the express permission of the principal.

I-6: Gambling – Students shall not participate in any unauthorized games of chance in which money or items of value may be won or lost.

I-7: Unauthorized Commercial Activity – Students may not engage in commercial activity (i.e. buying or selling items) unless pursuant to an authorized fundraiser or with written permission from an administrator.

I-8: School/Class Attendance – Being tardy to class, failure to follow proper sign in/sign out procedures, skipping class/school, leaving campus without permission, or being in an unauthorized area is prohibited. Individual schools must create a plan for addressing incidents of being tardy and leaving school early. **At no time may a student receive more than two (2) days of OSS for this infraction. OSS should be used as a last resort as a consequence for violation of this rule.**

I-9: Misconduct on School Vehicle – School transportation service is a privilege, not a right. Students at all times while riding a school bus or other school vehicle shall observe the directives of the school bus driver and shall comply with all provisions of the Code of Civility. The following conduct or violation of any other rule of the Code of Civility while on the school bus or other school vehicle is specifically prohibited and may result in temporary or permanent suspension from school transportation services and/or from school (and, certain aggravating factors may result in school-level consequences in addition to a bus suspension):

a. Delaying the bus schedule.

b. Getting off at an unauthorized stop.

c. Failing to observe established safety rules and regulations.

d. Willfully trespassing upon a school bus.

<u>Grades K-12</u>

• First offense: up to three (3) days suspension from riding the bus

• Second offense: up to five (5) days suspension from riding the bus

• Third offense: up to ten (10) days suspension from riding the bus

• Fourth offense: up to the remainder of the school year suspension from riding the bus

In addition, any conduct on a school bus or other school vehicle, or a school bus stop, that is a violation of any other rule of the Code of Civility may subject the student to other disciplinary consequences, as outlined in this Code of Civility.

I-10: 1-to-1 Student Laptop Program – Students must adhere to the guidelines found in the 1-to-1 Parent-Student Laptop Handbook.

Intentional Laptop or Other Computer Damage

• First offense: up to one (1) day OSS and loss of access to laptop at home for semester

• Second offense: up to three (3) days OSS and loss of access to laptop at home for remainder of year

• Third offense: up to five (5) days OSS and loss of access to laptop at home for remainder of year

Software or Hardware Modification

• First offense: loss of access to laptop at home for semester

• Second offense: one (1) day ISS and loss of access to laptop at home for remainder of year

• Third offense: up to five (5) days OSS and loss of access to laptop at home for remainder of year

I-11: Integrity – All students are expected to demonstrate integrity, civility, responsibility, and self-control, which are critical for establishing and maintaining a safe, orderly, and inviting school environment. Any student who engages in or attempts to engage in cheating, plagiarism, falsification, violation of software copyright laws, or violation of computer access shall be subject to disciplinary action. The following actions are specifically prohibited:

1. Cheating: giving or receiving of any unauthorized assistance on academic work.

2. Plagiarism: copying the language, structure, or idea of another and representing it as one's own work.

3. Falsification: verbal or written statement of any untruth.

4. Violation of software copyright laws: unauthorized duplication of computer software (computer piracy), printed material related to computer software, and/or the use of pirated computer software.

Grades K-5

To be determined at the school level.

Grades 6-8

• First offense: up to one (1) day ISS and redo assignment or complete alternate assignment

• Second offense: two (2) days ISS and redo assignment or complete alternate assignment

• Third offense: three (3) days OSS and redo assignment or complete alternate assignment

Grades 9-12

• First offense: one (1) day ISS and a zero “0” on the assignment

• Second offense: two (2) days ISS and a zero “0” on the assignment

• Third offense: three (3) days OSS and a zero “0” on the assignment

Additionally, whenever a student engages in cheating, plagiarism, or falsification, the student shall receive a zero “0” on the assignment and shall be referred to a counselor.

LEVEL II:

More serious misconduct that generally warrant short-term suspension for students in middle or high school, and may warrant short-term suspension with elementary school students. The misconduct could also be managed through Restorative Practices. **Principals may recommend a long-term suspension based upon the presence of aggravating factors regarding the severity of the violation and/or safety concerns.**

Grade Span	First Offense	Second Offense	Third Offense
K-5	1 Day ISS	1 Day OSS	3 Days OSS
6-8	3 Days OSS	5 Days OSS	7 Days OSS
9-12	3 Days OSS	5 Days OSS	10 Days OSS

In-School Suspension (ISS); Out-of-School Suspension (OSS)

Consequences vary for II-22 and II-23

II-1: Inappropriate Literature, Illustrations, or Images – The possession of literature, illustrations, or images which significantly disrupts the educational process or which are obscene is prohibited.

II-2: Abusive, Harassing, or Seriously Disrespectful Language – The use of any language, whether written, oral, or electronic, which is abusive, harassing, or seriously disrespectful and which disrupts the classroom or school environment is specifically prohibited.

II-3: Racial, Homophobic or Xenophobic Slurs - The use of any racial, homophobic or xenophobic language, whether written, oral or electronic is prohibited.

II-4: Class/Activity Disturbance – Any physical or verbal disturbance which occurs within the school environment and which interrupts or interferes with teaching or orderly conduct of class/school activities is prohibited. Horseplay is considered a disturbance to the school environment.

II-5: School Disturbance – No student shall, by use of passive resistance, noise, threat, fear, intimidation, coercion, force, violence, or any other form of conduct, cause the disruption of any lawful function, mission, or process of the school.

II-6: School Transportation Disturbance – Any physical or verbal disturbance which occurs on school transportation and which interrupts or interferes with the safe and orderly operation of the vehicle is prohibited.

II-7: Disruptive Protest – No student on school property or on property adjacent thereto shall engage in any protest, march, picket, sit-in, boycott, walkout, or other activity which has as its purpose the disruption of any lawful function, mission, or process of the school, or in fact creates such a disruption.

II-8: False Fire Alarm – No student shall set off, attempt to set off, or aid and abet anyone in giving a false fire alarm. No student shall interfere with or damage any part of a fire alarm, fire detection, smoke detection, fire extinguishing system, or emergency escape system.

II-9: Attempted Fire Setting/Possession of Incendiary Material – The possession of any incendiary material (including but not limited to matches, lighters, or lighter fluid) or the use of any material reasonably likely to result in a fire on school property is prohibited.

II-10: Property Damage – No student shall intentionally damage or attempt to damage or deface school property, another's personal property, or private property.

II-11: Theft – No student shall steal, attempt to steal, or knowingly be in possession of stolen property, including cafeteria food.

II-12: Extortion – No student shall attempt to extort money, personal property, or personal services.

II-13: Indecent Exposure/Sexual Behavior – No student shall engage in behavior which is indecent, overly affectionate, or of a sexual nature.

II-14: Discrimination/Harassment/Bullying – No student shall engage in conduct prohibited by Policy 1710/4020/7230: Discrimination and Harassment Prohibited by Federal Law (please refer to the entire policy and regulation).

Note: A student who is convicted of cyber-bullying a school employee shall be transferred to another school within the district. If there is no other appropriate school within the district, the student shall be transferred to a different class or assigned to a teacher who was not involved as the victim of the cyber-bullying. The superintendent may modify, in writing, the required transfer of an individual student on a case-by-case basis.

II-15: Sexual Harassment – No student shall engage in conduct prohibited by Policy 1710/4020/7230: Discrimination and Harassment Prohibited by Federal Law (please refer to the entire policy).

II-16: Threat/False Threat – No student shall make any threat through written or verbal language, sign, or act which conveys a serious expression of intent to cause harm or violence. Furthermore, no student shall make a false threat of harm or violence, even in jest, which causes or is reasonably likely to cause fear or a disruption to school activities.

II-17: Physical Aggression/Fighting – Physical aggression or fighting toward students and other people is prohibited. A student who is attacked may use reasonable force in self-defense, but only to the extent necessary to get free from the attack and notify proper school authorities. A student who exceeds reasonable force may be disciplined even though someone else provoked the fight.

No student shall engage in fighting or physical aggression towards others, including but not limited to:

a. Choking, hitting, slapping, shoving, scratching, spitting, biting, blocking the passage of, or throwing objects at another person in an aggressive, confrontational or dangerous manner;

b. Taking any action, instigating, or making comments or writing messages that might reasonably be expected to result in a fight or physical aggression.

II-18: Failure to Report Firearm – Any student who has knowledge that another student possesses or intends to bring a firearm on any school campus or to any school activity shall report this information to school or law enforcement authorities immediately.

II-19: Hazing – Hazing is prohibited. No group or individual shall require a student to wear abnormal dress, play abusive or ridiculous tricks on him/her, frighten, scold, beat, harass, or subject him/her to personal indignity.

II-20: Refusal of Search and Seizure – A student's failure to permit searches and seizures as provided in Policy 4342: Student Searches, is prohibited (please refer to entire policy.)

II-21: Aiding and Abetting – No student shall aid or abet another student in violating any rule in the Code of Civility. This includes recording incidents for the purpose of posting on social media.

II-22: Violation of Technology Responsible Use Policy – No student shall engage in conduct prohibited by Policy 3225/4312/7320: Technology Responsible Use (please refer to the entire policy).

Possible consequences include, but are not limited to:

- Student added to limited-Internet restriction group
- After school detention
- In-School Suspension (ISS)
- Out-of-School Suspension (OSS)

II-23: Tobacco – No student shall use, possess, or display any tobacco or tobacco-derived or nicotine-containing vape product. This restriction applies when the student is anywhere on school system property or at any school-sponsored activity as a visitor or spectator. The following definitions apply for purposes of this regulation:

a. **Tobacco Product:** cigarettes, vape products clearly labeled as derived from tobacco and/or containing nicotine, cigars, pipes, chewing tobacco, snuff, and any other items containing or reasonably resembling tobacco or tobacco products.

b. **Tobacco Use:** smoking, chewing, dipping, or any other use of tobacco or vape products.

c. **Display:** having any tobacco, or tobacco-derived or nicotine containing vape products, in a location or position that is visible to students or school personnel.

The exceptions to this regulation are as follows:

a. The display of tobacco or vape products does not extend to display that has a legitimate instructional or pedagogical purpose and is approved by a teacher or school administrator; and

b. A principal may permit tobacco or vape products to be included in instructional or research activities in the school building if the activity is conducted or supervised by the faculty member overseeing the instruction or research and the activity does not involve smoking, chewing, or otherwise ingesting the tobacco product.

Suggested Consequences:

• First offense: one (1) day OSS and a conference with the student's parents/guardians. The student will be provided with information concerning the harmful effects of smoking or vaping.

• Second offense: five (5) days OSS

• Third offense: ten (10) days OSS

LEVEL III:

Level III infractions typically threaten the safety of students, staff, or school visitors or threaten to substantially disrupt the educational environment, and support long-term suspension. The principal may recommend a short-term suspension or decline to impose any suspension based on the presence of mitigating factors.

III-1: Violation of Policy 1710/4020/7230: Discrimination and Harassment Prohibited by Federal Law (please refer to entire policy and regulation).

<u>Grades K-5</u>

• First offense: three (3) days suspension, required participation in restorative circles upon return

• Second offense: five (5) days suspension, required participation in restorative circles upon return

• Third offense: ten (10) days suspension, recommendation for long-term suspension, required participation in restorative circles upon return

<u>Grades 6-12</u>

• First offense: ten (10) days suspension, required participation in restorative circles upon return

• Second offense: ten (10) days suspension, administrative school reassignment, required participation in restorative circles upon return

• Third offense: ten (10) days suspension, recommendation for long-term suspension, required participation in restorative circles upon return

III-2: Narcotics, Alcoholic Beverages, Controlled Substances, Chemicals, and Drug Paraphernalia – No student shall possess, use, distribute, sell, possess with intent to distribute or sell, or conspire or attempt to distribute or sell, or be under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, anabolic steroid, other controlled substance, any alcoholic beverage, malt beverage, fortified wine, other intoxicating liquor, drug paraphernalia, counterfeit substance, any unauthorized prescription drug, or any other chemicals or products with the intention of bringing about a state of exhilaration, euphoria, or of otherwise altering the student's mood or behavior. Except as otherwise defined in II-23 Tobacco, the possession, use, distribution, sale, possession with intent to distribute or sell, or being under the influence of vape products that are not clearly labeled as derived from tobacco or containing nicotine products shall be considered a violation of this regulation. The proper use of a drug authorized by valid medical prescription from a legally authorized health care provider shall not be considered a violation of this rule when the drug is taken by the person for whom the drug was prescribed, in accordance with Policy 6125: Administering Medicines to Students.

For the purpose of the Code of Civility the following definitions apply:

• **Conspiracy:** an agreement by two (2) or more persons to commit an unlawful act in violation of this policy.

• **Counterfeit Substance:** any substance that is described or presented with the intention of deceiving another into believing that it is a substance prohibited under this policy.

• **Distribute:** to transmit a prohibited substance to one or more other persons. For purposes of this definition, a student has not "distributed" a prohibited substance (but may be guilty of "possession" or "use") if the student's only involvement is to share or pass a prohibited substance with other students in the course of using it. A student may be guilty of "distributing" a prohibited substance even if the substance is given freely rather than exchanged for something of value.

• **Drug Paraphernalia:** objects used for ingesting, inhaling, or otherwise introducing controlled substances into the body, e.g., pipes, rolling papers, "roach" clips. Relevant evidence may be considered in determining whether an object is drug paraphernalia.

• **Possession:** having the prohibited substance on the student's person or in another place where the student, either alone or jointly with others, has control

over it. This may include, but is not limited to, possession of a prohibited substance in an automobile, locker, book bag, or desk.

• **Possess with Intent to Distribute/Sell:** intent to distribute or sell may be determined from the amount of the prohibited substance found, the manner in which it was packaged, the presence of packaging materials such as scales, baggies or other containers, or from statements or actions of the student that demonstrate an intent to distribute or sell.

• **Sell:** the exchange of a prohibited substance for money, property, or any other benefit or item of value.

• **Unauthorized Prescription Drug:** any drug or medication that has not been prescribed for the student.

• **Under the Influence:** the use of any prohibited substance at any time or place when the prohibited substance would influence a student's mood, behavior, or learning to any degree.

• **Use:** the consumption, injection, inhalation or absorption of a prohibited substance into a student's body by any means.

For offenses involving only possession, conspiracy to possess, use, and/or being under the influence of a substance prohibited by this policy, the following shall apply:

• **First offense:** unless mitigating factors support a reduced suspension length, a ten (10) day suspension can be reduced to a five (5) day suspension if the student and parent/guardian agree and successfully complete a substance abuse assessment from a substance abuse professional, a school social worker or behavior specialist and an approved eight (8) hour Drug and Alcohol Education Program.

• **Second offense:** a ten (10) day suspension with a recommendation for long-term suspension, unless mitigating factors support a reduced suspension length.

Note: Habitual offenses in subsequent years will be considered an aggravating factor that may support a ten (10) day suspension with a recommendation for long-term suspension.

III-3: Gang and Gang-Related Activity – The Board of Education believes that gangs and gang-related activities pose a serious safety threat to students and staff members of the Chatham County Schools and can significantly disrupt the educational environment.

a. No student shall participate in any gang-related activities. For purposes of this regulation:

1. A “gang” is any ongoing organization, association, or group of three (3) or more persons, whether formal or informal, having as one of its primary activities the commission of criminal acts, and having a common name or common identifying sign, colors or symbols.

2. “Gang-related activities” are any activities engaged in by a student on behalf of an identified gang; to perpetuate the existence of an identified gang; to effect the common purpose and design of an identified gang; or to represent gang affiliation, loyalty, or solidarity.

b. Conduct prohibited by this regulation includes:

1. Wearing, possessing, using, distributing, displaying, or selling any clothing, jewelry, emblems, badges, symbols, signs, visible tattoos and body markings, or other items, with the intent to convey or promote membership or affiliation in any gang;

2. Communicating either verbally or non-verbally (e.g., gestures, handshakes, slogans, drawings), with the intent to convey or promote membership or affiliation in any gang;

3. Tagging, or otherwise defacing school or personal property with symbols or slogans intended to convey or promote membership or affiliation in any gang;

4. Requiring payment of protection, money or insurance, or otherwise intimidating or threatening any person in connection with gang-related activity;

5. Inciting other students to intimidate or to act with physical violence upon any other person in connection with gang-related activity;

6. Soliciting others for gang membership;

7. Conspiring to commit/committing any violation of this regulation or committing or conspiring to commit any other illegal act or other violation of school district policies and regulations that relates to gang activity.

c. When a first infraction involves only the wearing gang-related attire, a student may receive a warning and be allowed to immediately change or remove the attire as an alternative to disciplinary action.

d. The superintendent or designee shall regularly consult with law enforcement officials to identify examples of gang-related items, symbols and behaviors and shall provide each principal with this information. Parents and students shall be notified that such information is maintained in the principal’s office, that it is

subject to change, and that the principal's office may be consulted for updates. In providing this information for parents and students, the school system acknowledges that not all potential gang indicators connote actual membership in a gang.

III-4: Weapons and Dangerous Instruments/Substances – No student shall possess, handle, or transmit any weapon, facsimile of a weapon, dangerous instruments, substances or other objects that can reasonably be considered or used as a weapon or dangerous instrument/substances. This does not apply to any student who finds a weapon or dangerous instrument/substances on school property or receives it from another person on school property and who immediately reports the weapon or dangerous instrument/substances to school or law enforcement authorities.

The following definitions apply to this regulation:

a. **Weapon:** any firearm, BB gun, stun gun, air rifle, air pistol, ammunition, powder loads, fireworks, knife, slingshot, leaded cane, blackjack, metallic knuckles, razors, razor blades (except cartridge used solely for personal shaving), box cutter, mace, pepper spray or other personal defense sprays, any sharp-pointed or edged instrument except instructional supplies, unaltered nail files and clippers and tools used solely for preparation of food, instruction, and maintenance.

b. **Dangerous Instrument/Substance:** any object or substance that is possessed, handled, transmitted, used for the purpose of causing or attempting to cause physical injury.

c. **Facsimile of a Weapon:** any copy of a weapon that could reasonably be perceived to be a real weapon.

Note: Refer to level IV-1 for violations involving firearms or destructive devices.

III-5: Assault on a Student – No student shall cause or attempt to cause serious physical injury to another person. For the purposes of this policy "serious physical injury" shall refer to any significant or aggravated bodily injury, including but not limited to broken bone(s), loss or chipping of teeth, loss or impairment of vision, loss of consciousness, internal injuries, scarring or other disfigurement, significant bleeding, lacerations resulting in sutures, significant bruising, severe or prolonged pain, any injury requiring hospitalization for any period of time, and/or any injury resulting in medical treatment beyond simple first aid procedures.

Note: If a teacher is assaulted or injured by a student and as a result the student is reassigned to alternative education services, long-term suspended, or expelled, the student shall not be returned to that teacher's classroom unless the teacher consents.

III-6: Attempted Assault on a School Employee - No student shall cause or attempt to cause physical injury to a school employee or volunteer, or behave in such a manner that could reasonably cause physical injury to any school employee or volunteer.

III-7: Assault and Serious Injuries on a School Employee – No student shall assault a school employee, volunteer, or other adult who is not a student.

Note: If a teacher is assaulted or injured by a student and as a result the student is reassigned to alternative education services, long-term suspended, or expelled, the student shall not be returned to that teacher's classroom unless the teacher consents.

III-8: Assault Involving Weapon/Dangerous Instrument/Substances – No student shall assault another using a weapon, dangerous instrument, or dangerous substances.

Note: Refer to Level IV for violations involving firearms or destructive devices.

III-9: Arson – No student shall burn or attempt to burn any school building or property. Possessing incendiary material (i.e. gasoline, kerosene, or other flammable liquid), for the purpose of burning or the attempted burning of school property.

III-10: Bomb Threat – No student shall make a bomb threat or hoax by making a false report that a device designed to cause damage or destruction by explosion, blasting, or burning is located on the school premises or at the site of school activities. No student shall with the intent to perpetrate a hoax, conceal, place or display on school property or the site of school activities any device or artifact so as to cause any person reasonably to believe the same to be a bomb or other destructive device

III-11: Bomb Threat: Aiding/Abetting – No student shall aid, and/or abet in making a bomb threat or hoax by making a false report that a device designed to cause damage or destruction by explosion, blasting, or burning is located on the school premises or at the site of school activities.

III-12: Acts of Terror

a. No student shall make a report that he or she knows or should know is false, that any device, substance or material designed to cause harmful or life threatening illness or injury to another person, is located on school property or at the site of a school activity.

b. No student shall, with intent to perpetrate a hoax, conceal, place, disseminate or display on school property or at the site of a school activity any device, machine, instrument, artifact, letter, package, material, or substance, so as to cause a reasonable person to believe the same to be a substance or material capable of causing harmful or life-threatening illness or injury to another person.

c. No student shall threaten to commit an act of terror on school property or at the site of a school activity that is designed to cause, or is likely to cause, serious injury or death to another person, when the threat is intended to cause, or actually causes, a significant disruption to the instructional day or a school-sponsored activity.

d. No student shall make a report that he or she knows is false, that an act of terror designed to cause, or likely to cause, serious injury or death to another person on school property or at the site of a school-sponsored activity is imminent, when that report is intended to cause, or actually causes, a significant disruption to the instructional day or a school-sponsored activity.

e. No student shall aid, abet, and/or conspire to commit any of the acts described in section III-4 of this policy.

LEVEL IV:

Possession of a firearm or destructive device on educational property mandates a 365-day suspension under both federal and state law.

IV-1: Firearm/Destructive Device K-12 – Any student in grades K-12 shall be recommended by the principal for a suspension of 365 calendar days for bringing a firearm or explosive device onto school property or to a school-sponsored event off school property, or for possessing a firearm or explosive or explosive device on school property or at a school-sponsored event off school property. School property includes any property owned, used or leased by the Board of Education, including school buses, other vehicles and school bus stops. Principals are required to refer to the law enforcement system any student who brings a firearm or weapon to school.

a. **Firearm:** A weapon, including a starter gun, which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon; or any firearm muffler or firearm silencer. The term shall not include an inoperable antique firearm, a BB gun, stun gun, air rifle, or air pistol.

b. **Destructive Device:** An explosive, incendiary, or poison gas; bomb; grenade; rocket having a propellant charge of more than four ounces; missile having an explosive or incendiary charge of more than one quarter ounce; mine; or device similar to any of the devices listed in this definition.

Violation of this section shall result in suspension from school for 365-days unless modified by the superintendent or Board of Education on a case-by-case basis.

The 365-day suspension does not apply to any student who finds the firearm on school property or receives it from another person on school property and who delivers the weapon, immediately, to school or law enforcement authorities.

LEVEL V:
Expulsion

A student fourteen (14) years of age or older may be expelled for a violation of this Code of Civility if the student's behavior indicates that the student's continued presence in the school constitutes a clear threat to the safety of other students or employees, and the Board determines there is no appropriate alternative educational program. Additionally, any student who is a registered sex offender under N.C. General Statute.

Adopted: August 15, 2022

Revised:

Chatham County Schools

The board recognizes that cellular phones have become an important tool through which people communicate with their children. Therefore, students are permitted to possess cellular phones and other wireless communication devices on school property as long as such the devices secured during instructional time as outlined in Section A of this policy. Wireless communication devices include, but are not limited to, cellular phones, electronic devices with internet capability, paging devices, two-way radios, IPAD, IPOD and other similar devices.

A. GENERAL GUIDELINES

Elementary school students are not allowed to possess a wireless communication device at school during the instructional day unless in the opinion of the principal a special circumstance exists that warrants approval. The principal will make this decision on a case by case basis and will provide instructions to the student on how the device is to be secured. The device should not be visible or in use at any time during the instructional day.

Middle and high school students may possess a wireless communication device as long as it is secured during instructional time. The device may only be visible and/or used during non-instructional periods at the discretion of the principal. An example of a noninstructional includes lunch periods (in designated areas such as the cafeteria and eating spaces) and before and after the instructional day. The device should not be visible and should remain secured during class changes during the instructional day. At the discretion of the principal, wireless devices may be used in distance learning classes and/or any class that the teacher is not physically located at the school site and/or as necessary for proper communication between student and teacher.

B. CONSEQUENCES FOR UNAUTHORIZED USE

School employees may immediately confiscate any wireless communication device that is on, used, displayed or visible in violation of this policy. Absent compelling and unusual circumstances, confiscated wireless communication devices will be returned only to the student's parent or guardian.

Violations of this policy will result in consequences as provided in the school's student behavior management plan (see policy 4302 and policy regulation 4318-R), School Plan for Management of Student Behavior. Aggravating factors may subject a student to more stringent disciplinary consequences, including expulsion.

Examples of such aggravating factors include, but are not limited to, using wireless communication devices: (1) to reproduce images of tests, to access

unauthorized school information or to assist students in any aspect of their instructional program in a manner that violates any school board policy, administrative regulation or school rule; and (2) for photography or videography of any kind, regardless of intent.

C. LIABILITY

Students are personally and solely responsible for the security of their wireless communication devices. The school system is not responsible for the theft, loss or damage of a cellular phone or any other personal wireless communication device.

Legal References: G.S. 115C-36, -391

Cross References: Student Behavior Policies (policy 4300), Disruptive Behavior (policy 4315), Student Searches (policy 4342)

Adopted: May 4, 2009
Updated: March 5, 2012

Regulation Code: 4318-R Use of Cell Phones and Wireless Devices

I. The Montgomery County School Board of Education recognizes that cell phones and other wireless devices have become essential tools for parents to communicate with their children and for students to access various resources. However, studies indicate that inappropriate and extended use of social media on these devices has been linked to increased mental health issues, including anxiety, depression, poor sleep, body image disorders, and disruptive behaviors. Additionally, using cell phones during the school day can lead to distractions in the learning environment.

To ensure that schools remain free from unnecessary disruptions and to foster a conducive educational atmosphere, the Board of Education believes there are few justifiable reasons for students to use cell phones and other wireless communication devices during instructional hours.

II. Definitions

1. **Wireless communication devices**: Wireless communication devices include, but are not limited to, headphones and ear buds, personal music devices, electronic games

(Outside of classroom instruction), cellular phones ("cell phones"), electronic devices

With internet capabilities, such as smart watches and other similar devices.

2. **Instructional day:** The instructional day is the typical school day for students from

the morning bell signifying the start of school until the afternoon bell signifying the

end of school. Except for field trips and other school-sponsored extra-class activities,

the instructional day does not generally include before and/or after school.

3. **Disruptions:** Disruptions include, but are not limited to, videoing or photographing

another person on school property while engaged in private or personal activities (e.g.,

in the restroom) without permission, using a wireless communication device to

circulate messages and/or coordinate a school disruption, such as a fight, during the

instructional day, receiving audible alerts and notifications, and other activities that

cause an interruption to learning or the educational environment.

III. Authorized Use by Students

A. Except as set forth below, students are not permitted to use, display, or have

any wireless communication devices visible during the instructional day or as

directed by school rules or personnel. The instructional day is the typical

school day for students, from the morning bell, which signifies the start of school, until

the afternoon bell, which signifies the end of school. When a wireless communication

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device is in the possession of a student, it must be secured, powered off, and out of sight.

B. High School students can use wireless communication devices only during their specified lunch period, so long as the students' use of the device does not violate the standards of the Code of Conduct and are not used for one of the purposes outlined in **IV.C** below. Elementary and Middle school students are not permitted to use, display, or have any visible wireless communication devices during the instructional day.

C. Wireless communication devices are not permitted to be visible or in use during classes or other instructional times; they must be secured during instruction. Administrators may authorize individual students to use wireless communication devices for personal purposes during the instructional day when there is a reasonable and legitimate need for such communication (e.g., health or medical necessity, assistive technology, etc.).Teachers and administrators may authorize individual students to use the devices for instructional purposes, provided that they supervise the students during such use, and it is tied to a legitimate educational function as determined by the teacher. Although use is generally permitted before and after school, use of wireless Communication devices may be prohibited on school buses when noise from such devices or a student's use of such devices interferes with the safe operation of the buses.

IV. Consequences for Unauthorized Use by Students

A. Disciplinary consequences for unauthorized use of wireless communication devices shall be governed by and consistent with **Board Policy 4300 Student Behavior Polices**
The Superintendent or designee shall list in the Code of Conduct the specific consequences that may be imposed on a student for violations of the Code and this policy.

B. If a student is found using, displaying, or having a visible wireless communication device during the instructional day or at other times where use is unauthorized, the following shall apply:

1. 1st offense: Warning/redirection given to the student. Parent is contacted.

2. 2nd offense: Student conference and parent contact by the teacher.

3. 3rd offense: Office referral and parent is contacted; teacher/school administration confiscates the device, and the parent must pick up the device at the end of the school day.

C. The following factors should be considered when determining appropriate consequences for the unauthorized use of a wireless communication device: The wireless communication device was used:

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(1) to reproduce images of tests, obtain unauthorized access to school information, or assist students in any way aspect of their instructional program in a manner that violates any Board policy, administrative regulation, or school rule; (2) to bully or harass other students; (3) to incite or provoke violent acts or assaults on other students or school personnel; (4) to take or send obscene, pornographic, lewd, indecent, or otherwise sexually explicit text messages, photographs, or videos (i.e., sexting); or (5) in any other manner that would make more severe disciplinary consequences appropriate.

D. Unauthorized use of wireless communication devices will result in confiscation of the device by a school administrator. Confiscated wireless devices will be returned only to the parent or legal guardian. Additionally, suppose a student engages in any behaviors outlined in Section VI.C above. **In that case, the student may be prohibited from having the wireless communication device on school property or at a school-sponsored activity for the remainder of the school year.**

V. Liability

Students are personally and solely responsible for the security of their wireless communication devices. The Board of Education and the school system are not responsible for the theft, loss, or damage of a cellular phone or other wireless communication device.

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