USE OF WIRELESS COMMUNICATION DEVICES

Policy Code: **4318**

The board recognizes that cellular phones and other wireless communication devices are an important tool through which parents communicate with their children and through which students gather information. The board also understands that excessive use of wireless communication devices may pose significant health and social risks for students. Therefore, to balance these interests and the needs of students, parents, and the school community, the board limits the use of wireless communication devices as provided in this policy.

A. DEFINITIONS

For the purposes of this policy, the following definitions apply.

1. "Instructional time" is the time during which students are assigned to a teacher for the primary purpose of instruction.

2. A "wireless communication device" is any portable wireless device that has the capability to provide voice, messaging, or other data communication between two or more parties, including but not limited to cellular telephones, tablet and laptop computers, paging devices, two-way radios, and gaming devices.

B. AUTHORIZED USE DURING INSTRUCTIONAL TIME

Students are permitted to possess wireless communication devices on school property so long as the devices are not turned on, used, or displayed during instructional time or as otherwise directed by school rules or school personnel.

Additionally, individual students may use wireless communication devices as required by the student's Individualized Education Program or Section 504 plan or to manage the student's health care in accordance with a documented medical condition. Teachers may authorize individual students to use the devices for instructional purposes, provided that they supervise the students during such use, or in the event of an emergency.

C. AUTHORIZED USE DURING NON-INSTRUCTIONAL TIME

Although use of wireless communication devices is generally permitted during non-instructional time and before and after school, the principal may establish additional limitations on the use, possession, or display of such devices consistent with this policy. Use of wireless communication devices 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 wireless communication devices during such programs.

D. CONSEQUENCES

School employees may immediately confiscate any wireless communication devices that are on, used, or displayed in violation of this policy. In general, the confiscated device will be returned to the student at the end of the school day. However, an administrator may require a student's parent to recover a confiscated device if the student has repeatedly violated this policy.

The disciplinary consequences for violations of this policy shall be consistent with Section D of policy 4300, Student Behavior Policies. The superintendent or designee shall list in the Code of Student Conduct the specific range of consequences that may be imposed on a student for violations of this policy.

The following factors should be considered when determining appropriate consequences: whether the wireless communication device was used (1) to reproduce images of tests, obtain unauthorized access to school information or assist students in any aspect of their instructional program in a manner that violates any school board policy, administrative regulation, or school rule; (2) to bully or harass other students; (3) to send illicit text messages; (4) to take and/or send illicit photographs; or (5) in any other manner that would make more severe disciplinary consequences appropriate.

E. SEARCH OF WIRELESS COMMUNICATION DEVICES

In accordance with policy 4342, Student Searches, a student's wireless communication device and its contents, including, but not limited to, text messages and digital photos, may be searched whenever a school official has reason to believe the search will provide evidence that the student has violated or is violating a law, board policy, the Code of Student Conduct, or a school rule. The scope of such searches must be reasonably related to the objectives of the search and not excessively intrusive in light of the nature of the suspected infraction.

F. 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 personal wireless communication device.

Legal References: G.S. 115C-36, -76.100, -390.2

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

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