

**Clark Hill Policy Service
Draft Board Policy and Administrative Guideline**

ARTICLE IV. STUDENTS

Section 21. Wireless Communication Devices and Personal Electronic Devices

The Board is committed to providing a focused, safe, and academically rigorous learning environment. Research and classroom experience demonstrate that student use of wireless communication devices (“WCD”) during instructional time disrupts learning, reduces engagement, and negatively impacts academic performance and mental health. The purpose of this policy is to eliminate distractions during instructional time while maintaining appropriate access for safety, health, and educational needs.

The Superintendent is authorized to prepare administrative guidelines necessary to ensure effective implementation of this policy.

Definitions

A “wireless communication device” is defined by law as “an electronic device capable of, but not limited to, text messaging, voice communication, entertainment, navigation, accessing the internet, sending and receiving photos and videos, or producing email. Wireless communications device does not include a basic telephone.”

A “basic telephone” is defined by law as “a device primarily used for voice calling that cannot support third-party applications, except those preinstalled, and does not support access to internet platforms via applications or web browsers.”

“School grounds” is defined by law as “a building, playing field, or property used for school purposes to impart instruction to children or used for functions and events sponsored by a school. School grounds does not include a building used primarily for adult education or college extension courses.”

“Instructional time” is defined by this policy as including the following:

- all scheduled class periods;
- study hall;
- intervention blocks;
- home room periods;
- flex time periods;
- assemblies or alternative instructional sessions/periods;
- library instructional periods;
- school-sponsored field trips; and
- any other time designed for academic instruction.

Before and after school, passing periods, assigned recess periods, and assigned lunch periods are designated as non-instructional times.

Students may use WCDs while riding to and from school on a school bus or other Board-provided vehicle at the driver's or chaperone's (i.e., coach or advisor's) discretion. Students are permitted to use WCDs during overnight trips provided that the use of WCDs does not interfere with instruction or the District's educational mission in conducting the overnight trip. School officials overseeing overnight trips maintain discretion in setting reasonable rules during overnight trips.

Uses of Wireless Communication Devices

Subject to the exemptions identified in this policy below, students are prohibited from using a WCD on school grounds during instructional time. WCDs must be turned off or silenced during instructional time and stored out of sight (e.g., in backpack, locker, or designated storage area). Students that use WCDs during non-instructional time must not otherwise create a distraction, disruption, or otherwise interfere with the educational environment.

Parents/guardians who need to contact a student during instructional time may call the school's main office. Students who need to contact a parent/guardian during instructional must receive permission to use a District phone, including classroom phones or the main office phone.

Other Personal Electronic Devices

Other non-District owned personal electronic devices ("PED"), such as computers, tablets (e.g., iPads and similar devices), electronic readers ("e-readers," e.g., Kindles and similar devices), telephone paging devices (e.g., beepers or pagers), smart eyewear (such as Meta glasses), smart watches, and/or other web-enabled devices of any type, are subject to building expectations and protocol, including, but not limited to, the Student Code of Conduct. It is the expectation of the Board that personal electronic devices are not to be used during instructional time and are to be kept powered off and out of sight during instructional time. Students shall not use personal electronic devices during instructional time unless the use is approved by a classroom teacher or administration. Misuse of personal electronic devices may subject students to discipline.

Exemptions

Exemptions to this policy are permitted only under the following circumstances:

- Medically necessary devices for documented medical reasons (e.g., diabetes monitoring).
- District-owned devices that are issued to students for instructional purposes, such as tablets and laptops.
- Individualized Education Programs (IEPs) and 504 Plans that include a device as an accommodation as part of the plan and the device is used in accordance with the plan.
- Lesson-specific academic assignments as authorized by a classroom teacher for a limited duration and purpose.

- District-designated devices that are not owned by the District but designated by the administration for acceptable use and only to the extent authorized.
- Emergency situations as defined in the District's Emergency Operations Plan. Students must not interfere with school emergency protocols or the actions of first responders, and must not endanger students or faculty.
- The administrator in charge of a school-sponsored field trip may authorize student use of WCDs when the administrator determines that such use is appropriate or necessary to support the purpose of the trip.

Enforcement of Policy

Staff members are authorized to enforce this policy and shall do so consistently and respectfully. Violations of this policy will be enforced in accordance with the Student Code of Conduct. Penalties may include device confiscation, documented warning, parent/guardian notification, and progressive discipline in accordance with the Student Code of Conduct. Refusal to surrender a device when directed by staff may result in additional disciplinary action.

Privacy and Liability

The District is not responsible for lost, stolen, or damages personal devices. School officials may investigate violations of this policy as deemed necessary and appropriate. Investigations must be conducted consistent with District policies and applicable law including, but not limited to, Michigan's Internet Privacy Protection Act (IPPA). The IPPA prohibits educational institutions from requesting access to or information allowing access to student personal internet accounts (such as a social media platform) and disciplining or otherwise penalizing students for failing to grant access or information allowing access to those accounts.

Draft Administrative Guideline

AG IV-21. Wireless Communication Devices and Personal Electronic Devices

As established and defined by Board Policy, wireless communication devices (WCDs) and personal electronic devices (PEDs) (collectively, "device") shall not be used during instructional time absent an exemption as identified in Board Policy. WCDs and PEDs must be off or silenced and stored out of sight. Violation(s) of this administrative guideline and/or corresponding Board Policy will be enforced in accordance with the Student Code of Conduct.

Use of Devices

Students may use WCDs or PEDs while riding to and from school on a school bus or other Board-provided vehicles or on a school bus or Board-provided vehicle during school-sponsored activities, at the discretion of the bus driver and classroom teacher, sponsor, advisor, chaperone, and/or coach. Distracting behavior that creates an unsafe environment will not be tolerated. Students are permitted to use WCDs or PEDs during overnight trips provided that the use of

these devices do not interfere with instruction or the District's educational mission in conducting the overnight trip. School officials overseeing overnight trips maintain discretion in setting reasonable rules during overnight trips.

Certain exceptions may be made on a case-by-case basis with respect to students who need to use WCDs/PEDs for virtual learning purposes, provided that the device is in fact used for virtual learning and does not interfere with instruction or instructional time.

Prohibited Use of Devices

Students may not use WCDs and PEDs on school property or at a school-sponsored activity to access and/or view Internet web sites that are otherwise blocked to students at school.

Except as authorized by a teacher, administrator, IEP/504 Plan, or identified exemption, students are prohibited from using WCDs/PEDs during the school day, including while off-campus on a field trip, to capture, record and/or transmit the words or sounds (i.e., audio) and/or images (i.e., pictures/video) of any student, staff member or other person. Using WCDs/PEDs to capture, record and/or transmit audio and/or pictures/video of an individual without proper consent is considered an invasion of privacy and is not permitted. Students who violate this provision and/or use WCDs/PEDs to violate the privacy rights of another person may have their device confiscated and held. If the violation involves potentially illegal activity the device may be confiscated and turned-over to law enforcement.

WCDs/PEDs, including but not limited to those with cameras, may not be activated or utilized at any time in any school situation where a reasonable expectation of personal privacy exists. These locations and circumstances include, but are not limited to, locker rooms, shower facilities, restrooms/bathrooms, and any other areas where students or others may change clothes or be in any stage or degree of disrobing or changing clothes.

Students may not use a WCD or PED in any way that might reasonably create in the mind of another person an impression of being bullied, threatened, humiliated, harassed, embarrassed or intimidated. In particular, students are prohibited from using WCDs/PEDs to: (1) transmit material that is threatening, obscene, disruptive, or sexually explicit or that can be construed as harassment or disparagement of others based upon their race, color, national origin, sex, sexual orientation, disability, age, religion, ancestry, or political beliefs, or any other protected class as identified by law; (2) engage in "sexting" - i.e., sending, receiving, sharing, viewing, or possessing pictures, text messages, e-mails or other materials of a sexual nature in electronic or any other form; or (3) creating videos, materials, or content of other individuals without their consent using Artificial Intelligence, including using an individual's image or likeness, and including in a manner constituting a "deep fake" as defined by state law (MCL 752.381 *et seq.*). Violation of these prohibitions shall result in disciplinary action. Furthermore, such actions will be reported to local law enforcement and child services as required by law.

Students are also prohibited from using WCDs/PEDs to capture, record, and/or transmit test information or any other information in a manner constituting fraud, theft, cheating, or academic

dishonesty. Likewise, students are prohibited from using WCDs/PEDs to receive such information.

Violations and Penalties

Use of WCDs/PEDs by a student at school during non-instructional time and/or during extra-curricular activities is a privilege that may be forfeited by any student who fails to abide by the terms of Board Policy, the Student Code of Conduct, or otherwise abuses this privilege.

Violations of this policy may result in disciplinary action and/or confiscation of the WCDs/PEDs. If a device is confiscated, it will be released/returned to the student's parent/guardian after the student complies with any other disciplinary consequences that are imposed, unless the violation involves potentially illegal activity, in which case the WCDs/PEDs may be turned over to law enforcement. A confiscated device will be held in a secure location in the building's central office until it is retrieved by the parent/guardian or turned over to law enforcement. If multiple offenses occur, a student may lose his/her privilege to bring WCDs/PEDs to school for a designated length of time or on a permanent basis.

Students are personally and solely responsible for the care and security of their WCDs/PEDs. The District assumes no responsibility for theft, loss, or damage to, or misuse or unauthorized use of WCDs/PEDs brought onto its property.