Procedure - Students and Telecommunication Devices

Definitions:

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

B. **Disrupting the Learning Environment** means any intentional gesture, any intentional electronic communication or any intentional written, verbal or physical act or statement initiated, occurring, transmitted or received by a student at school that a reasonable person under the circumstance should know will have the effect of:
    1. Insulting, mocking, or demeaning a student or group of students causing substantial disruption in, or substantial interference with, the orderly operation of the school; or
    2. Creating an intimidating, threatening, hostile or abusive educational environment for a student or group of students through substantially severe, persistent, or pervasive behavior.

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

Reporting Violations:

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

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

Investigating:

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

In the course of the investigation, administrative staff will not send, receive, or unnecessarily view or transmit sexting photographs or any other inappropriate images on either the district's or their personal electronic devices. The examination or viewing of the evidence/information will be limited to the extent necessary to determine that misconduct occurred.

Parent or Guardian Notification:

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

Discipline:

A school district may administer discipline for students whose behavior violates this policy. Law enforcement may also be notified when conduct may violate criminal laws.

The district will make reasonable attempts to assist students and/or parents or guardians to resolve concerns and issues prior to the use of the formal criminal complaint process. Assistance may include consultation, counseling, education, mediation, and/or other opportunities for problem-solving.

When administering discipline, the administrator will take into consideration the context of the events, all relevant circumstances, and the parties' prior behavior, the nature of the behavior and its potential harm and the emotional and/or physical harm resulting from the reported party's actions.

Sexting Offenses – Moved to Sexual Harassment Policy & Procedure. This will result in HIB referral.

CELLPHONE/TELECOMMUNICATION DEVICE VIOLATION:

First Offense:

A. The student's phone or electronic device will be confiscated, taken to the office, and returned at the end of the school day.
B. Parents or guardians will be notified by the teacher.
C. The teacher will fill out a form indicating defiance of district policy, that will be given to the office along with the phone or electronic device.
D. The student will receive a lunch detention for the violation

Second Offense:

A. The student's phone or electronic device will be confiscated, taken to the office, and returned only to the parent or guardian.
B. Parents or guardians will be notified by the office.
C. The teacher will fill out a form indicating defiance of district policy, that will be given to the office; the second offense will be converted to Failure to Cooperate.
D. The student will receive an after-school detention for the violation.

Third Offense:

A. The student's phone or electronic device will be confiscated, taken to the office, and returned only to the parent or guardian.
B. Parents or guardians will be notified by the office.
C. The teacher will fill out a form indicating defiance of district policy, that will be given to the office; the third offense will be converted to a level 3 – Other III violation
D. The student will receive In-School Suspension (ISS) up to 3 days.
E. The student will be required to check-in/check-out their phones and other electronic devices at the office daily before and after school. This will remain in effect until the end of the school year or until a predetermined time as set by the administration.
F. If participating in a sport or extracurricular activity, the student may practice, but will be ineligible to participate in the next extracurricular event from when they are in ISS.

Fourth Offense:

A. The student's phone or electronic device will be confiscated, taken to the office, and returned only to the parent or guardian.
B. Parents or guardians will be notified by the office.
C. The teacher will fill out a form indicating defiance of district policy, that will be given to the office; the fourth offense will be converted to a level 4 – Other IV violation.
D. The student will be ineligible to compete in all extracurricular activities.

Adoption Date: **7.16.19**
Mansfield School District
Classification:
Revised/Reviewed Dates: **1.12.21,6.24.25**