JICJ POSSESSION/Use of Electronic Communication Devices in School

Issued 8/12 draft 19

Purpose: To establish the basic structure for student possession/use of cell phones/electronic devices in the schools of the district.

Possession of an electronic communication device (ECD) by a student is a privilege that may be forfeited by any student who fails to abide by the terms and provisions of this policy, or otherwise engages in misuse of this privilege.

For purposes of this policy, an "electronic communication device" is a device that emits an audible signal, vibrates, displays a message, image, or otherwise summons or delivers a communication to the possessor.

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

Students are prohibited from using ECDs to capture, record or transmit the words (i.e. audio) and/or images (i.e. pictures, video) of any student, staff member or other person in the school or while attending a school-related activity without express prior notice and explicit consent for the capture, recording or transmission of such words or images. Using an ECD to take or transmit audio and/or pictures/video of an individual without his/her consent is considered an invasion of privacy and is not permitted, unless authorized by the building principal.

Students are prohibited from using ECDs to take pictures or record video/audio in locker rooms, bathrooms, or on school buses or other district vehicles. The use of ECDs to take pictures or record video/audio is also prohibited in classrooms, unless deemed appropriate by the teacher and used for educational/instructional purposes only.
Students are prohibited from using ECDs in any way that might reasonably create in the mind of another person an impression of being threatened, humiliated, harassed, embarrassed or intimidated (see policy JICFAA, Harassment, Intimidation or Bullying).

Students are also prohibited from using an ECD to capture 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 ECDs to receive such information.

Students must use all ECDs in compliance with this policy as well as with policy IJND/IJND-R(2) (Electronic Communications and Data Management).

Violations of this policy may result in disciplinary action and/or confiscation of the ECD. The building principal may also refer the matter to law enforcement if the violation involves an illegal activity (e.g. child pornography). Discipline will be imposed in a progressive manner based on the number of previous violations and/or the nature of or circumstances surrounding a particular violation. If the ECD is confiscated, it will be released/returned to the student's parent/legal guardian only after the student complies with any other disciplinary consequences that are imposed. Any ECD confiscated by district staff will be marked in a removable manner with the student's name and held in a secure location in the school building until it is retrieved by the parent/legal guardian. ECDs in district custody will not be searched or otherwise tampered with unless school officials reasonably suspect that the search is required to discover evidence of a violation of the law or other school rules. Any search will be conducted in accordance with policy JIH (Student Interrogations and Searches). If multiple offenses occur, a student may lose his/her privilege to bring an ECD to school for the remainder of the school year.

Students are personally and solely responsible for the care and security of their ECDs. The district and board recommend students not share ECDs unless it is for a specific academic purpose. The district and board assume no responsibility for theft, loss, damages or vandalism to ECDs brought onto its property, or the unauthorized use of such devices.

Parents/legal guardians are advised that the best way to get in touch with their child during the school day is by calling the school office.

Students may use school phones to contact parents/legal guardians during the school day with permission of the administration or designee.

Students, parents/legal guardians, teachers and staff members should be aware that the district may take disciplinary action against students consistent with policy JICDA/JICDA-R regarding student conduct away from school grounds.
Elementary and Middle School

Elementary and middle school students may not use or display cellular phones, beepers, and pagers ECDs while on school property during school hours. (The start and end of school will be denoted by the start and end bell.)

High school

High school students may use ECDs such as cellular phones, electronic pagers or any other communications devices before and after school, during their lunch break, within "free zones" (as determined by the principal) and as deemed appropriate by the teacher and approved by the principal for educational and/or instructional purposes only. Any other use of wireless communications is considered misuse and violations may result in disciplinary action.

Consequences

- **first offense** - warning/confiscate device and return to student at the end of the school day
- **second offense** - confiscate device/return to parent/legal guardian
- **third offense** - confiscate device/return device to parent/legal guardian and privilege to have device is revoked for the remainder of the school year
- **fourth offense** - confiscate device/return at the end of the school year

Violation of this policy shall result in discipline as outlined in the district's code of conduct (policy JICDA/JICDA-R).

Adopted 8/27/96; Revised 5/26/98, 6/26/01, 7/1/03, 6/27/06, 6/23/09, 8/28/12

Legal references:

S.C. Code of laws, 1976, as amended:

**Section 59-63-280** - Possession of paging devices by public school students; mobile telephones included; adoption of policies.