

A NEW LOOK AT CELL PHONE POLICIES

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(Background Information for Policy Review Committee)

Currently many families depend on cell phones. Therefore, it has become extremely difficult to ban them from schools. The debate now is how to regulate cell phone use in schools, as increasingly more students own them. The newest generation of cell phones, with cameras, internet access and text messaging creates issues regarding how to permit legitimate uses of the devices while preventing possible privacy violations and cheating. The main concern is prohibiting use of cell phones during instructional time and to avoid the disruption of the school atmosphere. This has become more problematic for schools because the cell phone industry continues to improve the product.

In the late 1980s and early 1990s, cell phones, pagers and beepers spread into the mainstream which resulted in most districts and even states banning them from school grounds. Technological and social changes and national events, coupled with advances in cell phone technology and the explosion of the industry resulted in phones being less of a luxury item and more of a convenience, especially for parents wanting to keep track of their children. The regulation of cellphone and other electronic devices in the school setting is evolving along with their growing ubiquity. This raises issues of conduct, not technology.

Connecticut legislation, C.G.S. 10-233j, regulates cell phone possession in schools. The law indicates that boards of education may restrict the use of cellular mobile telephones in district schools. The law further indicates that boards, in determining whether to restrict such possession or use, shall consider the special needs of parents and students. Any rules regarding technology, like other school rules, must be understandable, disseminated and have a rational relationship between the rule and its purpose. Therefore, a blanket prohibition against cell phones on the school campus is difficult to justify.

Policies on the use of cell phones in school vary in content. As cell phone use in and around schools evolves and becomes more pervasive throughout our society, it is now also evident that the age of the typical child with a cell phone in the school setting has gotten much younger. The debate over cell phone use has moved beyond simply banning them in the school setting. Parents, as previously stated, expect to be in greater contact with their children before and after school, as well as during lunch periods.

It is not considered reasonable to expect students to turn in their cell phones at the door and pick them up when school is over. Leaving the devices in lockers may increase the risk of theft. However, allowing students to carry cell phones on their person makes it more likely they will be used to cheat.

Restricting the use of a cell phone in the classroom may be considered a matter of common sense. The issue then becomes how to control their use during other times, out of the classroom setting.

Proponents on both sides of the cell phone issue advance compelling arguments. The devices can be used to enhance instruction, as they are, in reality, handheld computers. Smartphones provide students with access to the Internet, which can assist research and notetaking, but also opens up potential concerns about cell phone safety.

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Other arguments in favor include helping to promote school safety and communication in the case of an emergency and assisting parent's ability to communicate directly with their children about the scheduling of events. Some educators utilize the cell phone as an opportunity to teach discernment and responsible behavior.

Those opposing cellphones in the classroom cite the distractions they can cause including making cheating much easier. Also raised are the issues of disrespect which include cyber-bullying, sexting, and other forms of serious misconduct which are easier to conceal with cell phone technology. Further, it may be considered unhealthy for a student to depend on a cell phone for entertainment, or excessive communication with others, when they should be focused on school work.

Policies, like technology, must evolve to address the current situation. Today's students, of all ages, are more tech savvy than previously. The policy pertaining to cellphones should be reviewed, and revised as necessary, according to the district's position, incorporating community input. There are several different variations of a cell phone policy.

One variation remains a total cell phone ban. Such a policy prohibits student possession of a cell phone for any reason on school grounds. Students are permitted to carry their cell phones, but they should not have them out at any time unless there is an emergency. Some schools do not allow cell phone on school property at all. This would be a most difficult, if not impossible policy to implement.

Another option is to allow limited use of cell phones, necessitating the need to post specific guidelines, for appropriate non-classroom use. Some schools, embracing cell phone technology, encourage its use instructionally in the classroom setting, with guidelines. Cell phones in the classroom can pose significant discipline problems and a classroom management struggle if clear and explicit guidelines are not established.

Policy Implications

There was a time when "not in school" was the adopted policy regarding cell phones. Things have changed and cell phones are now more welcomed in schools, but with guidelines. Over recent years there has been a huge culture shift regarding mobile phones, especially smart phones. Such devices at school are inevitable. Cell phone technology is here to stay. It is not easy to keep up with the changes, but schools have adapted to technological changes in the past and they will adjust again to the current technology. It is necessary to enact real, enforceable cell phone policies. Many districts sit somewhere between banning phones and incorporating them into teaching.

Policy #5131.81 pertains to this topic. An entirely new version has been developed and follows for your consideration. In addition, the previous samples have been updated and also follow. The number and variety of these models provide a range of options for local districts to consider in revising the existing policy. Schools must face the responsibility of preparing young people to use modern technology in a safe and responsible way.

January 2019

Reviewed November 2023

A sample policy to consider.

Students

Electronic Devices

Cellular Phones/Electronic Communication Devices

The Board of Education (Board) recognizes that many students possess and use cellular telephones and other portable electronic devices. These devices serve an important purpose in facilitating communication between the student and his/her family, as well as serving as tools to access electronic information. In the school setting, such portable electronic devices are permitted providing their use is consistent with this policy and does not interfere with the educational process or with safety and security.

Alternate language:

The Board of Education (Board) is committed to providing a safe, positive and productive learning environment for its students. The Board recognizes that, depending on how they are used, cellular telephones and other wireless communication devices can be either a valuable learning tool or a source of disruption in the learning environment. In order to maintain a secure and orderly learning environment, student use and possession of cellular telephones and other wireless communication devices shall be subject to the limitations set forth in this policy.

There is a growing body of evidence that suggests student access to cellular telephones and other electronic communication devices may be detrimental to student emotional wellbeing and academic growth. Therefore, the use of electronic communication devices and other such technology at school is considered a privilege, not a right.

Students may possess cellular telephones and other wireless communication devices on school property and school-sponsored transportation, providing students adhere to the restrictions contained within this policy. Any unauthorized use of cellular telephones and other wireless communication devices during the instructional school day or at such times as not authorized by the school Principal or designee is prohibited as it disrupts the instructional program or distracts from the educational environment.

1. ***Elementary School Students:*** Elementary school students may possess cellular telephones and other wireless communication devices on school property and school-sponsored transportation, provided such devices are not visible, used, or activated, and are kept in the “off” position throughout the instructional school day. Students must keep their cellular phones and other wireless communication devices stored in a non-visible secure location during the instructional school day.

Students may use their cellular phones and other wireless communication devices while waiting for the beginning of the instructional school day or waiting for a school bus at the end of the instructional school day.

Students

Electronic Devices

Cellular Phones/Electronic Communication Devices (continued)

- Middle and High School Students*: Middle and high school students may possess cellular telephones and other wireless communication devices on school property and school-sponsored transportation, provided such cellular telephones and other wireless communication devices are not visible, used or activated, and are kept in the “off” position throughout the instructional school day. Middle and high school students must keep their cellular telephones and other wireless communication devices stored in a non-visible secure location. Middle and high school principals may modify the instructional school day to establish other authorized times of use in addition to when students are waiting for the beginning of the instructional school day or waiting for a school bus at the end of the instructional school day, including the designation of areas of the school campus for such use.

Alternate language:

Cellular telephones and other wireless communication devices shall be turned off during instructional or class time or at any other time where such use of the device would cause a disruption of school activities. Cellular telephones or other wireless communication devices which have the capability to take photographs or videos shall not be used for such purposes while on school property or while a student is engaged in district-sponsored activities unless as expressly authorized in advance by the Principal or designee.

OR

The use of cellular telephones or other wireless communication devices in any manner that disrupts the educational environment or violates the rights of others, including the use of the device to take photographs in locker rooms or bathrooms, cheat, or otherwise violate student conduct rules is prohibited. Prohibited conduct specifically includes creating, sending, sharing, viewing, receiving, or possessing an indecent visual depiction of oneself or another person.

Unless otherwise banned by this policy or by the building Principal, all cellular telephones or other wireless communication devices must be powered-off and out-of-sight during the regular school day unless: (a) the supervising teacher grants permission; (b) the use of the device is provided in a student’s individualized education program (IEP); or (c) it is needed in an emergency that threatens the safety of students, staff, or other individuals.

Students

Electronic Devices

Cellular Phones/Electronic Communication Devices (continued)

Unauthorized Use of Devices

A student's possession, display or use of a cellular telephone and other wireless communication devices on school property contrary to the provisions of this policy shall be viewed as the unauthorized use of the cellular phone or other wireless communication devices when such possession, display or use of such devices results in conduct which includes, but is not limited to:

- a. Interference with or disruption of the instructional or educational environment.
- b. Use which violates academic integrity, as the reproduction of images of tests, communication of test or examination contents or answers, to provide access to unauthorized school information, or assistance to students in any aspect of their instructional program in a manner that violates school Board policy or the Student Code of Conduct.
- c. The communication of the marks or grades assigned to students resulting from evaluation or the actual contents, or parts thereof, of any evaluation activity being completed by an individual(s).
- d. Use to commit a crime, under federal or state law.
- e. Violation of a student's or other person's reasonable expectation of privacy, by using such devices with photographic capabilities in student locker-rooms, restrooms, any other student changing areas, or the classroom, whether such use occurs during the instructional school day or on school property. Cellular telephones and other wireless communication devices may not be utilized to take "photographs" or "videos" while on school property, while on school-sponsored transportation or while a student is engaged in school-sponsored activities.
- f. Use in a manner that is profane, indecent, obscene, threatening, discriminatory, bullying or harassing language, pictures or gestures. Cellular telephones and other wireless communication devices which have the capability to take "photographs" or "moving pictures" shall not be used for such purposes while on school property, while on school-sponsored transportation or while a student is engaged in school-sponsored activities.

Other Acceptable Uses

Cellular telephones and other wireless communication devices are permissible in the following circumstances:

- a. ***Instructional or Educational Purposes.*** There is educational value in utilizing cellular telephones or other wireless communication devices in the classroom when such devices deliver content, and extend, enhance, and/or reinforce a student's learning process related to the student's learning style, the instructional objectives of the class and/or the learning environment. The appropriateness of in-class use of these devices consistent with the instructional objectives within instructional time will be determined by the classroom teacher with the approval of the building Principal or designee.

Students

Electronic Devices

Cellular Phones/Electronic Communication Devices

Other Acceptable Uses (continued)

- b. ***IEP, 504, or Health Care/Medical Plan.*** Students may use cellular phones, wireless communication devices and other electronic devices during class time when authorized pursuant to an Individual Education Plan (IEP), a Section 504 Accommodation Plan, or a Health Care/Medical Plan with supportive documentation from the student's physician.
- c. ***Health, Safety or Emergency Reasons.*** Exceptions to the restrictions in this policy, in part or in its entirety, may be made for health, safety and emergency reasons by the Principal.
- d. ***School Trips or School-Sponsored Activities.*** The use, display or activation of cellular phones or other wireless communication devices during school trips or school sponsored activities shall be at the discretion of the Principal or designee, but shall not be disruptive to the activity.
- e. ***Other Reasons.*** Other reasons determined appropriate by the Principal.

Unauthorized use of these devices is grounds for confiscation by school officials, including classroom teachers. Repeated unauthorized use of such devices may lead to disciplinary action.

Responsibility/Liability

Any student who chooses to bring a cellular telephone or other wireless communication device to school shall do so at his or her own risk and shall be personally responsible for the security of his or her cellular phone or wireless communication device. Neither the school personnel or Board will assume any responsibility or liability for loss, theft, damage or vandalism to a cellular phone or other wireless communication device brought onto school property, or for the unauthorized use of any such device.

(cf. 5114 – Suspension and Expulsion/Due Process)

(cf. 5131 – Conduct)

(cf. 5131.8 – Off School Grounds Misconduct)

(cf. 5131.82 – Restrictions on Publications and Written or Electronic Material)

(cf. 5131.911 – Bullying)

(cf. 5131.913 – Cyberbullying)

(cf. 5144 – Discipline/Punishment)

(cf. 5145.5 – Sexual Harassment)

(cf. 5145.51 – Peer Sexual Harassment)

Students

Electronic Devices

Cellular Phones/Electronic Communication Devices

Legal Reference: Connecticut General Statutes

10-233j Student possession and use of telecommunications devices

Eisner v. Stamford Board of Education, 440 F. 2d 803 (2nd Cir 1971)

Trachtman v. Anker, 563 F. 2d 512 (2nd Cir. 1977) cert. denied, 435 U.S. 925 (1978)

Hazelwood School District v. Ruhlmeir, 484 U.S. 260, 108 S Ct 562 (1988)

Bethel School District v. Fraser, 478 US 675 (1986)

Tinker v. Des Moines Independent Community Dist., 393 US 503, (1969)

Policy adopted:

cps 1/19

reviewed 11/23

An administrative regulation to consider.

Students

Electronic Devices

Cellular Phones/Electronic Communication Devices

The District recognizes the importance of technology in the educational setting. While cellular telephones and other wireless communication devices may serve as a form of technology, they can pose a significant distraction to the learning environment if used without the direction of the teachers.

The use of electronic communication devices and other technology at school is a privilege, not a right.

Definitions

1. A **“cellular telephone or wireless communication device”** is a handheld electronic device having the ability to receive and/or transmit voice, text, or data messages without a cable connection, such may include, but is not limited to, cellular telephones, and digital wireless phones. This definition also includes any current or emerging wireless handheld technologies or portable information technology systems developed for similar purposes.
2. **“School property”** means any school building, bus, facility, including grounds owned or occupied by the Board. The definition includes the location of a District-sponsored activity as well as transportation provided by the District to attend a District-sponsored activity.
3. **“Instructional school day”** means the moment a student enters the school building until the final dismissal bell. The “instructional school day” includes, but is not limited to, study halls and any other structured or non-structured instructional activity that occurs during the normal school day, including the administration of examinations, and regardless of whether a student is on campus or at an off-campus school-sponsored activity.
4. **“Kept in the “off” position”** means powered completely off and is not simply set on a vibrate, silent, standby, hibernation or airplane mode.

Use of Cellular Phones/Electronic Communication Devices at School or School Events

- The instructional day includes the entire school day from the start of the school bell to the dismissal bell with the exception of the official lunch period at the high school level only.

Students

Electronic Devices

Cellular Phones/Electronic Communication Devices

Use of Cellular Phones/Electronic Communication Devices at School or School Events (continued)

- Students must power off and stow away cell phones and/or electronic communication devices prior to the start of the instructional day (last bell for the start of school). During lunch, high school students may use their devices, but must power off and stow away cell phones again at the official end of the lunch period.
- Cell phones and/or electronic communication devices may not be accessed by a student during the instructional day. They may be used appropriately before the start of the school day, and after the end of the school day. High school students may access their cell phones and/or electronic communication devices during the official lunch period and during passing time between classes.
- The use of cell phone and/or electronic communication devices is strictly prohibited at all times in locker rooms or restroom areas while at school or a school-related event. Devices used in this manner will be immediately confiscated.
- Individual school schedules may require some minor flexibility as approved by the Principal.

Use of Cellular Telephones and Other Wireless Communication Devices in Classrooms

Teachers are encouraged to design lessons where the use of cellular telephones or other wireless communication devices is relevant to the course curriculum. Teachers will notify students when this type of use is authorized.

Teachers may direct students to use a cellular telephone or other wireless communication device during instructional time. Otherwise such devices must be turned off or placed on silent and put away prior to the beginning of teaching. Headphones may not be visible during instructional time. In addition, such devices may not be used outside the classroom during instructional time.

When a cellular telephone or other wireless communication device is in use for academic purposes, students are not permitted to:

- Answer an incoming text message or phone call;
- Be on any social media site;
- Access or play any game or access any entertainment site on their device;
- Access or use any app on their device unless expressly instructed by the teacher;
- Take any picture or video that the teacher has not expressly asked the student to take;
- Upload any picture or video taken in any class to any social media site or website;

Students

Electronic Devices

Cellular Phones/Electronic Communication Devices

Use of Cellular Telephones and Other Wireless Communication Devices in Classrooms (continued)

- Text message or email any picture or video taken in class to any person, including themselves;
- Access any type of mobile web browsing for any reason unless directed by the teacher; or
- Take any picture, video or text any class assignments or assessments without permission.

Examples of Inappropriate Use

- Student use of cellular telephones or wireless communication devices for personal communication and entertainment and/or games is not permitted during the instructional day, from the official school start time to end of the day school dismissal, which includes class periods, lunch period (elementary and middle schools only), and other specified times as determined by administration.
- Communicating or displaying offensive messages, pictures, or language is never permitted at any time during the school day, at a school event, or on school buses. Devices used in this manner will be immediately confiscated.
- Cyberbullying, harassing, intimidating, coercing, threatening, or attacking others is never permitted. Making private information public is never permitted. Devices used in this manner will be immediately confiscated.

Enforcement Procedures

- Cellular telephones or other electronic communication devices must be surrendered upon demand to District personnel. Any student refusing to give the device to school personnel will be subject to discipline as provided in the student conduct code.
- All confiscated phones will be turned into the school office as soon as possible and no later than within 24 hours of being confiscated. Once a cell phone has been confiscated, the following procedures will be used to return the device:
 - The **first time** a cell phone and/or electronic communication device is confiscated, it can be picked up at the school office by the student or parent no earlier than the end of the school day. The parent or guardian may be contacted by the school administration if needed. (or: Teacher confiscates and returns to student at end of class.)
 - The **second time** a cell phone and/or electronic communication device is confiscated, it can be picked up at the school office. (or: Teacher confiscates, gives device to the office, and office returns to student at end of school day.)

Students

Electronic Devices

Cellular Phones/Electronic Communication Devices

Enforcement Procedures (continued)

- The **third time** a cell phone and/or electronic communication device is confiscated, the teacher gives the device to the office and office notifies parent to come pick up the device at their convenience.
- **Repeated offenses** within the same school year, will result in the confiscation of the phone and returned only to the parent after a meeting with the parent and student and appropriate disciplinary action is determined.

Regulation approved:

cps 1/19
rev 11/23

A sample policy to consider which incorporates a bring your own device approach.

Students

Electronic Devices

Use of Private Technology Devices by Students

Students may possess privately owned technological devices on school property and/or during school sponsored activities, in accordance with the mandates of this policy and any applicable administrative regulations as may be developed by the Superintendent of Schools. The _____ Board of Education (“Board”) considers allowing students to bring to school such devices to be a privilege and not a right. The Board reserves the right to revoke this privilege if a student fails to adhere to the following guidelines and/or the Board’s acceptable use and student discipline policies.

Parents and/or guardians must read and sign the attached agreement form before a student may be permitted to bring to school a privately owned technological device.

Definitions

Board Technology Resources

For the purposes of this policy, “Board Technology Resources” refers to the Board’s computers and instructional technologies; communications and data management systems; informational technologies and the Internet; and any other technology resources used by the school district and accessible by students.

Privately Owned Technological Devices

For the purposes of this policy, “Privately Owned Technological Devices” refers to privately owned wireless and/or portable electronic hand-held equipment that can be used for word processing, wireless Internet access, image capture and recording, sound recording, information transmitting and/or receiving, storing, etc. These devices may include, but are not limited to, personal laptops, Smartphones, network access devices, Kindles, Nooks, cellular telephones and other electronic signaling devices.

Use of Privately Owned Technological Devices

Privately owned technological devices may not be used during instructional time, except as specifically permitted by instructional staff. Privately owned technological devices may not be used during school recess or on a school bus.

Students

Electronic Devices

Use of Privately Owned Technological Devices (continued)

Use of any such device for an improper purpose is prohibited. Improper purposes include, but are not limited to:

- Sending any form of harassing, threatening, or intimidating message, at any time, to any person (such communications may also be a crime);
- Gaining or seeking to gain unauthorized access to Board technology resources;
- Damaging Board technology resources;
- Accessing or attempting to access any material that is obscene or contains pornography;
- Cyberbullying;
- Taking pictures without the specific permission of the subject of the picture;
- Using a privately owned technological device to violate any school rules, including the unauthorized recording (photographic or audio) of another individual without the permission of the individual or a school staff member; or
- Taking any action prohibited by any Federal or State law.

Search of Privately Owned Technological Devices

A student's privately owned technological device may be searched if there are reasonable grounds for suspecting that the search will turn up evidence that the student has violated or is violating either the law or the rules of the school. Any such search shall be reasonably related to the objectives of the search and not excessively intrusive in light of the age and sex of the student and the nature of the infraction.

Responsibility for Privately Owned Technological Devices

Students are responsible for the safety and use of their privately owned technological devices. If a privately owned technological device is stolen, lost, or damaged, a report should be made to the building principal, who will investigate the loss in a manner consistent with procedures for stolen or damaged personal property. Students and parents should be aware that the Board is not liable for any privately owned technological device that is stolen, lost, or damaged while at school. Furthermore, the Board shall not be liable for any data plan charges or any other costs associated with the use of private technological devices. For that reason, students are advised not to share or loan their privately owned technological devices with other students.

Students shall take full responsibility for their device and shall keep it safely stored when not in use. Classroom teachers will determine the best storage location for such devices. Students are required to take home their privately owned technological devices at the end of each school day.

Students

Electronic Devices (continued)

Disciplinary Action

Misuse of the Board's technology resources and/or the use of privately owned technological devices to access or utilize the Board's technology resources in an inappropriate manner or in a manner inconsistent with this policy will not be tolerated and will result in disciplinary action. For students, a violation of this policy may result in loss of access privileges, a prohibition on the use and/or possession of privately owned technological devices on school property, and/or suspension or expulsion in accordance with the Board's policies related to student discipline.

Access to Board Technology Resources

It is the policy of the _____ Board of Education to permit students, using their privately owned technology devices, to access the Board's computers and instructional technologies; communications and data management systems; informational technologies and the Internet; and any other technology resources used by the school district and accessible by students. Additionally, it is the expectation of the Board of Education that students who access these resources while using privately owned technology devices will act at all times appropriately in ways which are fully in accord with applicable policies concerning technology use as well as all local, state, and federal laws.

Through the publication and dissemination of this policy statement and others related to use of the Board's computer systems, as well as other instructional means, the Board educates students about the Board's expectations for technology users.

The Board technology resources shall only be used to access educational information and to promote learning activities both at home and at school. The Board considers access to its technology resources to be a privilege and not a right. Students are expected to act at all times appropriately in ways which are fully in accord with applicable policies concerning technology use as well as all local, state, and federal laws when using the Board technology resources. Failure to do so will result in the consequences outlined herein and in other applicable policies (including, but not limited to, the Safe School Climate Plan, the Student Discipline Policy and the Use of Computers Policy).

Students must abide by the procedures outlined in this policy and all policies and applicable regulations outlined in the Board's computer use and other applicable policies. Students will be given specific information for log-on and access procedures using school accounts. No user may deviate from these log-on/access procedures. Students are advised that the Board's network administrators have the capability to identify users and to monitor all privately owned technological devices while they are logged on to the network. Students must understand that the Board has reserved the right to conduct monitoring of Board technology resources and can do so despite the assignment to individual users of passwords for system security. Any password systems implemented by the Board are designed solely to provide system security from unauthorized users, not to provide privacy to the individual system user. The system's security aspects, message delete function and personal passwords can be bypassed for monitoring purposes. Therefore, students should be aware that they should not have any expectation of personal privacy in the use of privately owned technological devices to access Board technology resources. This provision applies to any and all uses of the Board's technology resources and that any privately owned technological devices access same.

Students

Electronic Devices (continued)

Harm to Board Technology Resources

Any act by a student using a privately owned technological device that harms the Board's technology resources or otherwise interferes with or compromises the integrity of Board technology resources will be considered vandalism and will be subject to discipline and/or appropriate criminal or civil action.

Closed Forum

This policy shall not be construed to establish a public forum or a limited open forum.

- (cf. 5114 – Suspension and Expulsion/Due Process)
- (cf. 5131 – Conduct)
- (cf. 5131.8 – Off School Grounds Misconduct)
- (cf. 5131.82 – Restrictions on Publications and Written or Electronic Material)
- (cf. 5131.911 – Bullying)
- (cf. 5131.913 – Cyberbullying)
- (cf. 5144 – Discipline/Punishment)
- (cf. 5145.5 – Sexual Harassment)
- (cf. 5145.51 – Peer Sexual Harassment)

- Legal References:
- Connecticut General Statutes
 - 10-233j Student possession and use of telecommunications devices
 - 31-48d Employees engaged in electronic monitoring required to give prior notice to employees.
 - 53a-182 Obstructing free passage: Class C misdemeanor.
 - 53a-183 Harassment in the second degree: Class C misdemeanor.
 - 53a-250 Definitions.
 - Electronic Communication Privacy Act, 28 U.S.C. §§2510 through 2520.
 - Eisner v. Stamford Board of Education*, 440 F. 2d 803 (2nd Cir 1971)
 - Trachtman v. Anker*, 563 F. 2d 512 (2nd Cir. 1977) cert. denied, 435 U.S. 925 (1978)
 - Hazelwood School District v. Ruhlmeir*, 484 U.S. 260, 108 S Ct 562 (1988)
 - Bethel School District v. Fraser*, 478 US 675 (1986)
 - Tinker v. Des Moines Independent Community Dist.*, 393 US 503, (1969)

Policy adopted:

rev 3/14
rev 11/23

Bring Your Own Device Student Agreement

The use of technology to provide educational material is a privilege at school that we wish all students to have beginning in grade ___ in _____, 20___. When abused, privileges will be taken away. When respected, they will benefit the learning environment tremendously.

Students and parents who bring their own device must adhere to the Student Code of Conduct as well as all Board policies, particularly the Internet Acceptable Use and Internet Safety. Additionally, students must adhere to the following:

Devices are to be used for instructional purposes connected to the approved curriculum, not to cheat on assignments or tests, not to make personal phone calls, not to send text messages, and not to post information, photos, or videos not authorized by the teacher.

Students acknowledge the following: (*Determine which the District wants to include.*)

- Only the school's Internet will be accessed. Attempts will not be made to bypass the local connection.
- The District's network filters will be applied to one's connection to the Internet and attempts will not be made to bypass them.
- Only authorized data can be accessed. Infecting the network with a virus, Trojan, or program designed to damage, alter, or destroy the network; and hacking, altering, or bypassing security policies are not allowed.
- The school District has the right to collect and examine any device that is suspected of causing problems or was the source of an attack or virus infection.
- All data must be stored on the student's hard drive. Backing up the data through a jump drive, an external drive, or another media device regularly is strongly encouraged.
- As we are working to achieve a more paperless environment, printing from personal laptops will not be possible.
- As we do not have enough outlets for students to charge their devices in classrooms, each student must charge his or her own device prior to bringing it to school daily.
- Using a personal device to transmit or share inappropriate content during the school day will result in the loss of BYOD/BYOT privileges. Additional consequences may be applied depending upon the circumstances. Transmission of material of a bullying nature or sexual nature will not be tolerated.
- Using a personal device at unauthorized times will result in the loss of BYOD/BYOT privileges. Use of these devices in the cafeteria, gymnasium, locker rooms, hallways, and bathrooms is strictly prohibited. The purpose of BYOD/BYOT is purely for the extension and enrichment of the learning environment.
- Devices cannot be used during assessments, unless otherwise directed by a teacher.
- Students must immediately comply with teachers' requests to shut down devices or close the screen. Devices must be in silent mode and put away when asked by teachers.

Bring Your Own Device Student Agreement

- Students are not permitted to transmit or post photographic images/videos of any person on campus on public and/or social networking sites.
- Students can only access files on the computer or Internet sites which are relevant to the classroom curriculum and suggested by a teacher.
- Students are not to physically share their personal devices with other students, unless approved in writing by their parent/guardian.
- Personal devices may not be used to cheat on assignments, tests or for non-instructional purposes, such as making personal phone call and text/instant messaging.
- Personal devices may not be used to send inappropriate e-messages during the school day.

As a student, I understand and will abide by all on this agreement. I further understand that any violation is unethical and may result in the loss of my device privileges as well as other disciplinary action.

As a parent, I understand that my child will be responsible for abiding by the policy pertaining to this program and its guidelines. I have read and discussed them with him/her and he/she understands the responsibility he/she has in the use of their personal device.

Signature of Student: _____ Signature of Parent: _____

Printed Name: _____ Printed Name: _____

Date: _____ Date: _____

A sample policy to consider.

Students

Electronic Devices

Use of Cellular Telephones

Students shall not possess or use, unless under teacher supervision for instructional purposes, a cellular telephone while on school property, on school transportation or while attending a school sponsored activity on or off school property.

Options:

1. Cell phones or other electronic devices not part of the instructional program will not be allowed in school. They will be confiscated and returned only to a parent or guardian.
2. Students are not allowed to use, wear, possess or store in their locker cellular telephones, other electronic communication devices, including all “look-a-likes,” at school during the regular school day or at school-sponsored events. Any student found in violation of this policy shall be subject of disciplinary action.
3. Disciplinary action may be taken against any student for using a cellular telephone, or other electronic device that is otherwise not banned by this policy, in any manner that disrupts the educational environment, including using the device to cheat, signal others, or otherwise violate student conduct rules. Unless otherwise banned under this policy, all electronic devices must be kept off and out of sight during the regular school day unless: (a) the supervising teacher grants permission, (b) use of the device is provided in a student’s IEP, or (c) it is needed in an emergency that threatens the safety of students, staff or other individuals.
4. The use of cell phones during the academic day disrupts and interferes with the educational process and will not be tolerated. Students will be subject to disciplinary procedures and confiscation of the device if it is either visible and/or used during regular school hours. Parents, upon appearing at school, will be given the confiscated devices.
5. Students, upon the request of, and with permission of their parent(s)/guardian(s) or request of the student himself/herself if over eighteen years of age, may be in possession of a cellular telephone. Use of the device shall be limited to the period before classes begin in the morning, during the student’s lunch period, and after the student’s last class in the afternoon. Such devices shall not be used during instructional time unless there is a bona fide health or safety emergency.
6. In no case will any personal communication device be allowed that provides for a wireless, unfiltered connection to the Internet or which has the capability to take photographs of any kind.
7. Devices shall not be used in a manner that disrupts the educational process, including, but not limited to, posing a threat to academic integrity or violating confidentiality or privacy rights of another individual.

Students

Electronic Devices

Use Cellular Telephones (continued)

8. The sending, sharing, viewing or possessing pictures, e-mails or other material of a sexual nature in electronic or any other form on a cell phone or other electronic device is prohibited in the school setting and is subject to disciplinary action.

The School Principal may grant written permission for such possession and use of cellular telephone by a student if the student or his parent or guardian establishes to the satisfaction of the Principal that a reasonable basis exists for the possession and use of the device.

This section pertaining to paging devices does not apply in the following cases, provided that the Building Principal approves in advance of the presence of a telephone pager: a disabled student using portable pagers for medical reasons; visitors on school property for an authorized program, meeting or function; a student who is a member of a volunteer fire company, ambulance or rescue squad; or a student who has the need due to the medical condition of an immediate family member.

The Board of Education shall consider the special needs of parents and students in determining whether to restrict the student possession or use of cellular mobile telephones.

Students violating this policy shall be subject to disciplinary action.

The administration shall promulgate rules to enforce this policy at the building level.

Legal Reference: Connecticut General Statutes
10-233j Student possession and use of telecommunications devices.

Policy adopted:
rev 1/19
rev 11/23

Another version of this policy to consider.

Students

Electronic Device

Use of Cellular Telephones

The Board of Education recognizes that cell phones can play a vital communication role during emergency situations. However, the ordinary use of cell phones in school situations can be disruptive to the educational environment and is not acceptable. Cell phone technology allows students to take digital photographs or digital video, tape record conversations, and may be used to text message other students. Cell phones can have disruptive applications in the educational process. Emergency phones are available for student use at all school offices and may be accessed by gaining permission from school staff and administrators.

The District prohibits the use of electronic communications devices, including cellular phones and associated cameras at all school and school-sponsored or school-related activities on or off school property, during the instructional day. This includes text messaging, silent mode, picture taking, or any other use. Cell phones may be used before school, during lunch, or after school.

Under no circumstances shall student's use or access electronic devices during emergency drills, assemblies or other school evacuations.

During the instructional day cell phones and/or other electronic communication devices or accessories (i.e. ear buds, headphones, etc.) should remain concealed and turned off unless used pursuant to this policy.

During periods of testing and other student evaluations, teachers may request that students remove all devices from their possession, either by returning the devices to lockers or placing outside the direct possession of the student. Any use of an electronic communications device during testing will be considered cheating and will be addressed accordingly.

Building principals may grant individual students permission to use electronic communications devices during the instructional day upon advance approval based on unique circumstances or in cases of emergency.

School building principals shall have the authority to further restrict possession of electronic communication devices in their individual buildings in order to maintain the principles of this policy and consistent with the unique circumstances of their individual schools or grade levels.

The sending, sharing, viewing or possessing pictures, e-mails or other material of a sexual nature in electronic or any other form on a cell phone or other electronic device is prohibited in the school setting and is subject to disciplinary action.

Students

Electronic Device

Use of Cellular Telephones (continued)

Should a student be observed using an electronic communications device, or if a device rings or beeps during the instructional day, disciplinary action will be taken including but not be limited to confiscation of the device, loss of the privilege of carrying the device permanently or for a limited period and other options for student discipline as reasonable under the circumstances.

Should a device be confiscated for violation of this policy, the student's parent or guardian may pick up the device from the school after showing proof of ownership and following a conference with the building administrator. By this policy, parents and/or guardians are on notice that confiscated devices that are not claimed by the end of the school year, shall be disposed of appropriately.

The District shall not assume responsibility for devices that are damaged, lost or stolen when brought to school or after being confiscated for violation of this policy.

Legal Reference: Connecticut General Statutes

10-233j Student possession and use of telecommunications devices

Policy adopted:

rev 1/19

reviewed 11/23

A sample regulation to consider.

Students

Electronic Device

Use of Cellular Telephones

Option #1: (Ban on devices except for emergency need)

Students who have extenuating and special circumstances, such as, but not limited to, personal, or family health related situations, may, upon the parent(s)/guardian(s) request, or request of the student himself/herself if over eighteen years of age, be in possession of a cellular telephone, or other emergency electronic communications device.

Except for situations involving a bona fide health or safety emergency, electronic communications devices are not to be used during class or instructional time, unless specific permission has been granted by the building Principal.

Students found to be using any electronic communications device to in any way send or receive personal messages, data, or information that would contribute to or constitute cheating on tests or examinations shall be subject to discipline and the device shall be confiscated and not returned until a parent conference has been held. Students violating this rule will be disallowed from carrying any personal communication device following the incident unless a bona fide health emergency exists

Option #2: (Communication devices allowed, with parental permission and with controls)

While certain electronic communication devices are allowed in school, the following regulations apply:

- Cellular telephones, shall be turned off during instructional or class time, and at any school-sponsored events where there is a reasonable expectation of quiet attentiveness or where use of the device would cause any disruption unless there is a bona fide health or safety emergency.
- Devices operated in violation of this rule shall be confiscated and returned, and where appropriate, not until a parent/guardian conference has been held.
- Students found to be using any electronic communications device to in any way send or receive personal messages, data, or information that would contribute to or constitute cheating on tests or examinations shall be subject to discipline and the device shall be confiscated and not returned until a parent conference has been held.
- Students found to be using any electronic communications device in violation of these rules shall be subject to disciplinary action. Where appropriate, police authorities may be contacted.

Students

Electronic Device

Use Cellular Telephones (continued)

Option #3: (Communication devices allowed without parent/guardian permission sought and with controls)

While certain electronic communication devices are allowed in school, the following regulations apply:

- Cellular telephones shall be turned off during instructional or class time, and at any school-sponsored events where there is a reasonable expectation of quiet attentiveness or where use of the device would cause any disruption unless there is a bona fide health or safety emergency.
- Devices operated in violation of this rule, or for any illegal purpose, shall be confiscated, and not returned until, where appropriate, a parent/guardian conference has been held.
- Students found to be using any electronic communications device to in any way send or receive personal messages, data, or information that would contribute to or constitute cheating on tests or examinations shall be subject to discipline and the device shall be confiscated and not returned until a parent conference has been held.
- Students found to be using any electronic communications device in violation of these rules shall be subject to disciplinary action. Where appropriate, police authorities may be contacted.

Regulation approved:

rev 1/19
rev 11/23

Another version to consider.

Students

Electronic Devices

Use of Private Technology Devices by Students

Students may possess privately owned technological devices on school property and/or during school sponsored activities, in accordance with the mandates of this policy and any applicable administrative regulations as may be developed by the Superintendent of Schools. The _____ Board of Education (“Board”) considers allowing students to bring to school such devices to be a privilege and not a right. The Board reserves the right to revoke this privilege if a student fails to adhere to the following guidelines and/or the Board’s acceptable use and student discipline policies.

Parents and/or guardians must read and sign the attached agreement form before a student may be permitted to bring to school a privately owned technological device.

Definitions

Board Technology Resources

For the purposes of this policy, “Board Technology Resources” refers to the Board’s computers and instructional technologies; communications and data management systems; informational technologies and the Internet; and any other technology resources used by the school district and accessible by students.

Privately Owned Technological Devices

For the purposes of this policy, “Privately Owned Technological Devices” refers to privately owned wireless and/or portable electronic hand-held equipment that can be used for word processing, wireless Internet access, image capture and recording, sound recording, information transmitting and/or receiving, storing, etc. These devices may include, but are not limited to, personal laptops, Smartphones, network access devices, Kindles, Nooks, cellular telephones and other electronic signaling devices.

Use of Privately Owned Technological Devices

Privately owned technological devices may not be used during instructional time, except as specifically permitted by instructional staff. Privately owned technological devices may not be used during school recess or on a school bus.

Students

Electronic Devices

Use of Privately Owned Technological Devices (continued)

Use of any such device for an improper purpose is prohibited. Improper purposes include, but are not limited to:

- Sending any form of harassing, threatening, or intimidating message, at any time, to any person (such communications may also be a crime);
- Gaining or seeking to gain unauthorized access to Board technology resources;
- Damaging Board technology resources;
- Accessing or attempting to access any material that is obscene or contains pornography;
- Cyberbullying;
- Taking pictures without the specific permission of the subject of the picture;
- Using a privately owned technological device to violate any school rules, including the unauthorized recording (photographic or audio) of another individual without the permission of the individual or a school staff member; or
- Taking any action prohibited by any Federal or State law.

Search of Privately Owned Technological Devices

A student's privately owned technological device may be searched if there are reasonable grounds for suspecting that the search will turn up evidence that the student has violated or is violating either the law or the rules of the school. Any such search shall be reasonably related to the objectives of the search and not excessively intrusive in light of the age and sex of the student and the nature of the infraction.

Responsibility for Privately Owned Technological Devices

Students are responsible for the safety and use of their privately owned technological devices. If a privately owned technological device is stolen, lost, or damaged, a report should be made to the building principal, who will investigate the loss in a manner consistent with procedures for stolen or damaged personal property. Students and parents should be aware that the Board is not liable for any privately owned technological device that is stolen, lost, or damaged while at school. Furthermore, the Board shall not be liable for any data plan charges or any other costs associated with the use of private technological devices. For that reason, students are advised not to share or loan their privately owned technological devices with other students.

Students shall take full responsibility for their device and shall keep it safely stored when not in use. Classroom teachers will determine the best storage location for such devices. Students are required to take home their privately owned technological devices at the end of each school day.

Students

Electronic Devices (continued)

Disciplinary Action

Misuse of the Board's technology resources and/or the use of privately owned technological devices to access or utilize the Board's technology resources in an inappropriate manner or in a manner inconsistent with this policy will not be tolerated and will result in disciplinary action. For students, a violation of this policy may result in loss of access privileges, a prohibition on the use and/or possession of privately owned technological devices on school property, and/or suspension or expulsion in accordance with the Board's policies related to student discipline.

Access to Board Technology Resources

It is the policy of the _____ Board of Education to permit students, using their privately owned technology devices, to access the Board's computers and instructional technologies; communications and data management systems; informational technologies and the Internet; and any other technology resources used by the school district and accessible by students. Additionally, it is the expectation of the Board of Education that students who access these resources while using privately owned technology devices will act at all times appropriately in ways which are fully in accord with applicable policies concerning technology use as well as all local, state, and federal laws.

Through the publication and dissemination of this policy statement and others related to use of the Board's computer systems, as well as other instructional means, the Board educates students about the Board's expectations for technology users.

The Board technology resources shall only be used to access educational information and to promote learning activities both at home and at school. The Board considers access to its technology resources to be a privilege and not a right. Students are expected to act at all times appropriately in ways which are fully in accord with applicable policies concerning technology use as well as all local, state, and federal laws when using the Board technology resources. Failure to do so will result in the consequences outlined herein and in other applicable policies (including, but not limited to, the Safe School Climate Plan, the Student Discipline Policy and the Use of Computers Policy).

Students must abide by the procedures outlined in this policy and all policies and applicable regulations outlined in the Board's computer use and other applicable policies. Students will be given specific information for log-on and access procedures using school accounts. No user may deviate from these log-on/access procedures. Students are advised that the Board's network administrators have the capability to identify users and to monitor all privately owned technological devices while they are logged on to the network. Students must understand that the Board has reserved the right to conduct monitoring of Board technology resources and can do so despite the assignment to individual users of passwords for system security. Any password systems implemented by the Board are designed solely to provide system security from unauthorized users, not to provide privacy to the individual system user. The system's security aspects, message delete function and personal passwords can be bypassed for monitoring purposes. Therefore, students should be aware that they should not have any expectation of personal privacy in the use of privately owned technological devices to access Board technology resources. This provision applies to any and all uses of the Board's technology resources and that any privately owned technological devices access same.

Students

Electronic Devices (continued)

Harm to Board Technology Resources

Any act by a student using a privately owned technological device that harms the Board's technology resources or otherwise interferes with or compromises the integrity of Board technology resources will be considered vandalism and will be subject to discipline and/or appropriate criminal or civil action.

Closed Forum

This policy shall not be construed to establish a public forum or a limited open forum.

(cf. 5114 – Suspension and Expulsion/Due Process)

(cf. 5131 – Conduct)

(cf. 5131.8 – Off School Grounds Misconduct)

(cf. 5131.82 – Restrictions on Publications and Written or Electronic Material)

(cf. 5131.911 – Bullying)

(cf. 5131.913 – Cyberbullying)

(cf. 5144 – Discipline/Punishment)

(cf. 5145.5 – Sexual Harassment)

(cf. 5145.51 – Peer Sexual Harassment)

Legal References:

Connecticut General Statutes

10-233j Student possession and use of telecommunications devices

31-48d Employees engaged in electronic monitoring required to give prior notice to employees.

53a-182 Obstructing free passage: Class C misdemeanor.

53a-183 Harassment in the second degree: Class C misdemeanor.

53a-250 Definitions.

Electronic Communication Privacy Act, 28 U.S.C. §§2510 through 2520.

Eisner v. Stamford Board of Education, 440 F. 2d 803 (2nd Cir 1971)

Trachtman v. Anker, 563 F. 2d 512 (2nd Cir. 1977) cert. denied, 435 U.S. 925 (1978)

Hazelwood School District v. Ruhlmeir, 484 U.S. 260, 108 S Ct 562 (1988)

Bethel School District v. Fraser, 478 US 675 (1986)

Tinker v. Des Moines Independent Community Dist., 393 US 503, (1969)

Policy adopted:

rev 3/14

rev 11/23