School District of Florence County Board of Education Policy Chapter: Students Reference: JFCJ Date: 11-11-13

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Student use or possession of electronic paging devices, two-way communication devices or cellular phones on school premises is prohibited, except as specifically authorized by the building principal. Any student found violating this policy shall surrender the communication device and be subject to disciplinary action.

The building principal is authorized to establish school rules and acceptable use guidelines for limited, non-disruptive use of electronic devices during the school day in the school building or during school activities for safety, medical, school, educational, vocational or other legitimate needs. Decisions on the request for an exception to this prohibition will be made on a case-by-case basis by the building principal or their designee.

Electronic communication devices shall not be used:

- 1. In areas where one would reasonably expect privacy, for example locker rooms or bathrooms.
- 2. To communicate test answers, photograph tests, or engage in any other conduct that enables students to cheat.
- 3. To share or post personal information about, or images of, any other student or staff member without permission from that student or staff member.
- 4. To engage in bullying such as placing cell phone calls or sending text messages that ridicule, threaten or harass another student.
- 5. To take, disseminate, transfer or share obscene, pornographic, lewd, inappropriate or illegal images or photographs.

Nothing within this policy shall be construed to limit a student's ability to use an electronic device in a manner that functions as assistive technology necessary for a student's education and that is required under an individualized education plan or a Section 504 plan.

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

Students engaging in the inappropriate use of electronic communication devices while on school premises or participating in school activities are subject to disciplinary action. The inappropriate use of such devices by students while off campus and not engaging in school activities may also be subject to disciplinary action if such conduct endangers the health, safety or property of others at school or under the supervision of school authorities and/or causes a material and substantial disruption to the school environment or school activities.

Any student found violating this policy shall surrender the communication device for the remainder of the school day and be subject to disciplinary action according to the following procedures:

- 1. First Offense Device is retained for the remainder of the school day. The principal may, in his/her discretion, require the parent/guardian to meet with the principal to retrieve the communication device.
- 2. Second Offense Device is retained for remainder of the school day and the next full day. The principal may, in his/her discretion, require the parent/guardian to meet with the principal to retrieve the communication device.
- 3. Third Offense Device is retained until parent/guardian and student meet with building principal
- 4. Subsequent Offenses Possible suspension or expulsion, dependent upon student's use of the device

If the nature of the offense and intended use of the communication device is in violation of other expectations of student rights, safety, health and well-being, initial disciplinary action could result in discipline, up to and including expulsion. District administration may search the device if the material on the device is in plain view or if there is reasonable suspicion that the student is violating school policy, law, that the use of the device is creating a disruption to the educational environment or that there is a suspicion of text, images or other recordings that impose upon the privacy and safety of other individuals and/or could be evidence in a school investigation.

Students will be informed of this policy and expectations annually at the beginning of each school year via distribution of the Student Handbook.

Wisconsin Statutes

Section 118.258 [student use and possession of electronic communication devices]
Section 120.13(1) [school board power to set conduct rules and discipline students]
Section 947.0125 [unlawful use of computerized communication device]
Section 995.50(2)(a) [intrusion on the privacy of another]

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