

Regulating The Possession Or Use Of Portable Communication Devices

Purpose

To regulate the possession or use of portable communication devices by students of the district while the students are on campus, attending school-sponsored activities, or while under the supervision and control of school district employees.

Definition

A portable communication device refers to any device carried, worn, or stored by a student to receive or communicate messages. Such devices may include but are not limited to portable pagers, hand-held radios, personal data assistants (PDAs), laptop computers with cellular/phone capability, and cellular telephones. This definition will also include any new technology developed for similar purposes. Excluded from this definition is any particular device with communication capabilities, which has been specifically approved for instructional purposes.

No cameras, cell phones containing devices to capture digital images and/or take photographs, or any similar image capturing technology ("Equipment") may be used at any time in any classroom, bathroom, gym, locker room, dressing area or other area where students or staff may be engaged in personal hygiene activities, changing clothes or otherwise have a reasonable expectation of privacy. In addition, no such Equipment may be used in any manner which invades another's privacy, places another in a false light, is used to cheat on tests or other assignments, exposes another to ridicule, shame or embarrassment, is used in any manner which is substantially or materially disruptive, or which a reasonably prudent person would deem to be inappropriate.

A student who violates this regulation may have the Equipment confiscated and/or the student may be prohibited from possessing the Equipment. In addition, the student may be disciplined, including suspension or expulsion, as otherwise authorized under district policies and regulations.

Procedures

1. High Schools and Middle Schools

Effective January 2, 2004, high school students and middle school students may possess portable communication devices on district property and at district-sponsored activities. The students must ensure that the device is turned off and out of sight during times of unauthorized use. Students may not turn on/use the device during instructional periods except as required by Board Policy for medical reasons. Use of devices by high school and middle school students riding to and from school on district buses is permitted as long as it does not impact the safe operation of the school bus, at the discretion of the bus driver. However, high school and middle school students may not use portable communication devices on district or commercially chartered buses used for school-sponsored activities during the official instructional day, except as required by Board Policy for medical reasons.

2. Elementary Schools

Elementary school students are not permitted to possess or use portable communication devices on district elementary school campuses or at district-sponsored elementary school activities, except upon the approval of the principal for medical reasons as required by Board Policy.

High school students on the campus of a middle or elementary school and middle school students on the campus of an elementary school for a legitimate educational purpose must have all portable communication devices turned off and out of sight during the official instructional day. High school students on the campus of a middle or elementary school and middle school students on the campus of an elementary school for a legitimate educational purpose outside of the official instructional day may use a portable communication device.

3. Other Instructional Time

No student of a night school class, Saturday school, or attending any other instructional period within the district may turn on/use a portable communication device during instructional periods, except as required by Board Policy for medical reasons.

4. Adult Students/Parent/Guardian Requests

Any student having reached the age of adult, or a parent/guardian of a student requesting authorization for a student to possess or use a portable communication device other than at authorized times can do so only with approval of the principal, who may grant or deny such request in his or her discretion.

5. Penalty for Violation of Policy

Any staff member or student having knowledge or reasonable suspicion of unauthorized possession or use of a portable communication device by a student on district property should promptly report this information to the principal or designee.

If, after appropriate investigation, a student is found in unauthorized possession or use of a portable communication device, the principal/director may confiscate the device in accordance with procedures outlined in BP/AR 5145.12 Search and Seizure.

Any student who violates this regulation will be subject to disciplinary action. Depending on circumstances, the disciplinary action could include but may not be limited to conference with parent/guardian, confiscation of the device, and/or up to five days suspension. Suspension of five days should be reserved for repeated or serious violations of this regulation.

Procedures in this regulation will be incorporated into the local school discipline plan process and notification to parents. School sites with approval of staff and school site team, may establish procedures more restrictive than this regulation, provided that no restrictions upon ability to possess or use portable communication devices for medical reasons, as set forth in Board Policy, shall be permitted.

Responsibility/Liability

The district assumes no responsibility or liability for loss or damage to a device or for the unauthorized use of any such device or devices on school grounds, including, but not limited to devices left in school lockers or in automobiles.

Regulation FRESNO UNIFIED SCHOOL DISTRICT

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