

## Sturgis Public Schools Administrative Guidelines

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### **5136 - WIRELESS COMMUNICATION DEVICES**

Possession of a wireless communication device (WCD) by a student is a privilege that may be forfeited by any student who fails to abide by the terms of this guideline or otherwise engages in misuse of this privilege. Strict adherence to this guideline is required.

A "wireless communication device" is a device that emits an audible signal, vibrates, displays a message or otherwise summons or delivers a communication to the possessor. The following devices are examples of WCDs: cellular and wireless telephones, pagers/beepers, personal digital assistants (PDAs), BlackBerrys/Smartphones, Wi-Fi-enabled or broadband access devices, two-way radios or video broadcasting devices, laptops, and other devices that allow a person to record and/or transmit, on either a real time or delayed basis, sound, video or still images, text, or other information.

WCDs, including but not limited to devices with cameras, may not be possessed, activated or utilized at any time in any school situation where a reasonable expectation of personal privacy exists. These locations and circumstances include but are not limited to classrooms, locker rooms, shower facilities, bathrooms, swimming pool, and any other areas where students or others may change clothes or be in any stage or degree of disrobing or changing clothes, whether here or at another school district where a school activity or athletic event is occurring. The building principal has authority to make determinations as to other specific locations and situations where possession of a WCD is absolutely prohibited.

A student may keep his/her WCD "On" under the following circumstances with prior approval of the building principal:

- A. The student is a member of a volunteer fire company/department, ambulance, or rescue squad.
- B. The student has a special health circumstance (e.g. an ill family member, or his/her own special health condition).
- C. The student is using the WCD for an educational or instructional purpose (e.g. taking notes, recording a class lecture, writing papers) with the teacher's permission and supervision. However, the use of any communication functionality of the WCD is expressly prohibited. This includes, but is not limited to, wireless Internet access, peer-to-peer (ad-hoc) networking, or any other method of communication with other devices or networks. In no circumstances shall the device be allowed to connect to the District's network.

Students are prohibited from using WCDs 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 a WCD 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 who violate this provision and/or use a WCD to violate the privacy rights of another person may have their WCD confiscated.

Students participating in extra-curricular activities and athletics must contact their coach, advisor, or sponsor for his/her rules involving the use of WCDs after school hours or on after-school bus trips.

Coaches and sponsors will set their rules and enforce consequences involving the use and/or misuse of these devices.

No expectation of confidentiality will exist in the use of WCDs on school premises/property.

Students are prohibited from using a WCD 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 5517.01 - Bullying and Other Forms of Aggressive Behavior. In particular, students are prohibited from using their WCDs to: (1) transmit material that is threatening, obscene, disruptive, or sexually explicit or that can be construed as harassment or disparagement of others based upon their race, national origin, sex, sexual orientation, age, disability, religion, or political beliefs; and (2) send, share, view or possess pictures, text messages, e-mails or other materials of a sexual nature (i.e. sexting) in electronic or any other form. Violation of these prohibitions shall result in disciplinary action. Furthermore, such actions will be reported to local law enforcement and child services as required by law.

Students are also prohibited from using a WCD 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 their WCDs to receive such information.

The Board assumes no responsibility for theft, loss, damage, or vandalism to WCDs brought onto its property, or the unauthorized use of such devices. Students and parents are strongly encouraged to take appropriate precautions, if students have WCDs in their possession, to make sure the devices are not left unattended or unsecured.

Using a WCD in an unauthorized manner or in violation of Policy [5136](#) or this guideline may result in loss of this privilege, additional disciplinary action (e.g. warnings, parental notification and conferences, suspension, expulsion), confiscation of the WCD (in which case, the device will only be released/returned to the student's parent/guardian after the student complies with any other disciplinary consequences that are imposed), and/or referral to law enforcement if the violation involves an illegal activity (e.g. child pornography). A person who discovers a student in possession of or using a WCD in violation of this guideline is required to report the violation to the building principal. If a school teacher or administrator observes a violation of this guideline, s/he is required to confiscate the device and bring it to the building principal's office and provide the name of the student from whom the WCD was taken. Any confiscated device will be held in a secure location in the building's central office until the item is retrieved by the student's parent/guardian. Students whose WCDs are confiscated may be required to contact their parents/guardians to inform them that the item was confiscated and that it will only be returned to the parents/guardians. Confiscated devices will not be searched or otherwise tampered with except in exceptional circumstances (i.e. school officials reasonably suspect that the search is required to discover evidence of a violation of law or other school rules). Any search undertaken by school officials will be conducted in accordance with AG [5771](#) - Search and Seizure. If multiple offenses occur, a student may lose his/her privilege to bring a WCD to school for a designated length of time or on a permanent basis.

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

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