

PROHIBITION ON USE OF STUDENT CELL PHONES AND PERSONAL ELECTRONIC COMMUNICATION DEVICES

In accord with State Law, the use of student cell phones and other personal electronic communication devices in schools is prohibited. The Merrimack School District respects and acknowledges the legitimate role that personal electronic communication devices may serve in emergency scenarios, or to address the medical, educational, or language needs of a student. However, it is also the responsibility of the Merrimack School District to ensure that students' use of personal electronic communication devices does not become a distraction in the educational environment.

Definitions

Personal electronic communication device: Any wired or wireless device that is capable of transmitting or receiving telephone communications, email, electronic data, text messages, videos, and/or photos. Personal electronic communication devices include, but are not limited to: cell phones, tablets, smartwatches, laptops, portable video game consoles, satellite phones, and two-way radios. Personal electronic communication devices include devices which are not actively connected to a mobile phone, internet, satellite, and/or radio network.

A personal electronic communication device *does not* include a device owned by the Merrimack School District, such as a Chromebook or other device issued to students for use during the school day.

Use of a personal electronic communication device: Any operation of a personal electronic communication device, including operating a personal electronic communication device for purposes other than communication.

Use of a personal electronic communication device does not include:

- Use of a personal electronic communication device to support the learning of a student with disabilities as identified by their individualized education program (IEP) developed pursuant to the Individuals with Disabilities Education Act (IDEA);
- Use of a personal electronic communication device to support the learning of a student with disabilities as identified by their Section 504 Plan developed pursuant to Section 504 of the Rehabilitation Act;
- Use of a personal electronic communication device to support emergent multilingual students with appropriate language access programs and services pursuant to Title VI of the Civil Rights Act of 1964;
- Use of a medical device, including but not limited to insulin pumps and glucose sensors; or
- Any other use approved by the Superintendent or designee with respect to student medical, disability, or language proficiency needs.

PROHIBITION ON USE OF STUDENT CELL PHONES AND PERSONAL ELECTRONIC COMMUNICATION DEVICES (continued)**Expectations**

The use of personal electronic communication devices by students is prohibited between the start and end of the academic school day.¹ This includes passing time between classes in the hallways, as well as lunch, recess, and any other time during the academic school day when the students are not actively engaged in academic tasks. This prohibition of use may also extend, at the principal's discretion, between the bell ending the academic day, and the time that students board buses or are released to their personal vehicle or parent pick-up. Throughout the school day, students should keep their personal electronic communication devices turned off and personal electronic communication devices shall be kept out of view in their backpack or locker. The district is not responsible for loss, damage or theft of any personal electronic communication device brought to the school.

School staff shall enforce this policy consistently and equitably in accord with existing district policies and any applicable building or program-based student handbooks. The Superintendent or their designee is authorized to develop procedures to enforce this policy.

A student who violates this policy will be reminded of the prohibition on the use of personal communication devices and their device shall be confiscated for the remainder of the school day. For a second offense, and subsequent offenses, the personal electronic device shall be confiscated for the remainder of the school day and the student's parent/guardian will be required to pick up the device from the principal or superintendent's office. In addition, repeated violations of this may result in student discipline pursuant to the Student Conduct Policy (JIC).

Exceptions

As set forth above, this policy *does not* prohibit the use of personal electronic communication devices to address student medical needs, such as insulin pumps and glucose sensors, students with disabilities that require a device to support their learning, as identified by their individualized education program (IEP) or Section 504 plan, or when required to support emergent multilingual students with appropriate language access to programs and services. The Superintendent or designee is authorized to approve additional exceptions for student medical, disability or language proficiency needs.

This policy *does not* prohibit students from contacting 911, 988, or any other emergency hotlines in emergency situations.

¹ If the school has a bell to signal the start and end of the academic school day, the academic school day shall begin when the first bell rings to start instructional time and end when the dismissal bell rings to end the academic school day.

**PROHIBITION ON USE OF STUDENT CELL PHONES AND PERSONAL
ELECTRONIC COMMUNICATION DEVICES (continued)****Annual Review**

The Superintendent or his/her designee shall review this policy on an annual basis, in collaboration with parents and teachers, and shall report any recommendations for policy revisions to the Board by March 1st of each school year.

Legal References:

RSA 189:1-a, VI, Cell Phone Use Policy
20 U.S.C. § 1400 et seq.
29 U.S.C. § 794
42 U.S.C. § 2000d et seq.
42 U.S.C. § 12101 et seq.

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