STUDENT CELL PHONE/ELECTRONIC DEVICE POLICY

The Board of Education of the Hunter-Tannersville School District (hereinafter referred to as "District"), recognizes that students may have personal electronic devices (defined below) that can perform different functions. These devices can create significant distractions to the school environment and reduce student engagement. Additionally, in an emergency, the use of personal electronic devices can distract students from following the directions of staff or emergency responders, contribute to the spread of misinformation, create congestion in the emergency response system, and interfere with the District's emergency response.

In accordance with New York State Education Law Section 2803, which prohibits the use of "internet-enabled devices" during the school day and on school grounds, the District sets for the following rules and expectations regarding the use of such devices on School District property.

I. DEFINITIONS

A. "Electronic Devices" shall include but not necessarily be limited to: cellular phones (both "smart phones" and call/text phones only), tablets, smartwatches, wired or wireless headphones and earbuds, walkie-talkies, personal digital assistants (PDA), pagers, laptops with two-way messaging, other hand-held computing devices (when such is being used as a communication device), and internet-connected accessories, e-readers, calculators, voice recorders, cameras, music devices and fitness trackers. This definition shall also include any new device developed for communicating via voice, text, or images/video. Excluded from this definition is any District-provided device for instructional purposes and District-issued cell phones for professional use.

B. "School District Property" or "Premises" shall include but not be limited to: any real property owned or controlled by the District, buses/vehicles owned and/or controlled by the District, any locations where school sponsored/supervised events may be taking place, any buildings, structures, athletic fields, playgrounds, parking lots, and land within the District's boundaries.

II. PROHIBITED USE OF ELECTRONIC DEVICES ON SCHOOL DISTRICT PROPERTY

A. At the elementary and secondary level, the use of electronic devices is prohibited on School District Property during regular school hours:

1. For PK-6, from 8:00 am until 3:37 pm.
2. For Grades 7-12, from 8:00 am until 3:12 pm.

B. At the elementary level, any student who brings their personal electronic devices onto School District Property must have such devices silenced (without vibration) and put away in cubbies or lockers for the entire instructional day including time spent in class, lunch, study hall, detention, in-school suspension, and between classes. Electronic devices shall be returned to the student at the end of the instructional day. Exceptions may be granted as outlined below.

And

At the secondary level, any student who brings their personal electronic devices onto School District Property must have such devices silenced (without vibration), and will be directed to place such device(s) in a District-issued individual locked pouch for the entire instructional day including time spent in class, lunch, study hall, detention, in-school suspension, and between classes. Electronic devices shall be returned to the student at the end of the instructional day. Exceptions may be granted as outlined below.

C. The District shall not assume any responsibility/liability for theft, loss, or damage of an electronic device or for any unauthorized calls made on an electronic device. For students who violate this policy and are required to hand in their device to District administration, the District will exercise reasonable care to maintain the security of such devices that are held by the District but cannot guarantee the devices will be secure. If a student loses or damages their District-issued individual locked pouch, their parent/legal guardian shall be financially responsible for the cost of replacing the locked pouch.

D. To ensure the integrity of testing, in accordance with state guidelines, students may not bring electronic devices into classrooms or other exam locations during all testing.

Test proctors, monitors and school officials have the right to collect cell phones and other devices prohibited by this policy prior to the start of the test and to hold them for the duration of the test taking time. Admission to the test will be prohibited to any student who has a cell phone or other electronic device in their possession and does not relinquish it. Additionally, students found in possession of a cell phone or other electronic

device during testing may be asked to leave the testing center without completing their assessment.

Students with Individualized Education Plans, Section 504 Plans, or documentation from medical practitioners specifically requiring use of electronic devices may do so as specified.

III. EXCEPTIONS/EXEMPTIONS

A. Students may possess electronic devices as follows:

1. Before and after the instructional day

a) For PK-6, from 8:00 am until 3:37 pm.

b) For Grades 7-12, from 8:00 am until 3:12 pm.

2. When required by law.

3. Students with a district-approved medical or disability related reasons. Requests must be made to Building Principal and must include documentation from an appropriate licensed medical or educational professional.

4. If authorized by the principal, for a specific educational purpose or emergency.

5. For translation purposes. Requests must be made to the Building Principal.

6. For students who are routinely responsible for the care and well-being of a family member (on a case-by-case basis, upon review and determination by a school psychologist, school social worker, or school counselor).

B. All exemptions will be considered on a case-by-case basis and are at the sole discretion of the school district.

C. If an exemption has been granted, personal devices must be silenced and placed in a District-issued individual locked pouch or locker/cubby when not in use.

D. During the times of day when students are permitted to possess and use electronic devices in the District schools, students must abide by all district policies. It remains a violation of District policy to use electronic devices to:

1. Take photographs or videos of others without their consent.
2. Audio record others without their consent.
3. Posses or send inappropriate images or inappropriate written references.

4. Harass, bully or discriminate against, demean or ridicule another person(s) or group.
5. Cheat on school assignments/tests by sending or receiving confidential academic or testing information.
6. For purposes prohibited by SED regulations or state or federal law.

IV. ENFORCEMENT/CONSEQUENCES

A. Enforcement of this policy is the responsibility of building administrative staff; however, all designated employees are expected to assist in enforcement.

B. For students out of compliance with this policy, the following measures will be taken by the District:

1. First Instance: the student may retrieve the device at the end of the school day, and the parent will be notified.

2. For Subsequent Instances: the student's parent/legal guardian must retrieve the device.

   The District may utilize consequences under the District's Code of Conduct for violation of this policy including referrals, detention, in-school suspension, and exclusion from extracurricular activities. The District may also utilize assignments on the detrimental impact of social media on mental health, smartphones in school, or other relevant topics.

C. Some uses of personal electronic devices may constitute a violation of the school district Code of Conduct or other district policies, and in some instances, the law. The district will cooperate with law enforcement officials as appropriate.

V. COMMUNICATION WITH PARENTS/PERSONS IN PARENTAL RELATION

A. During the school day, to minimize distractions, parents/legal guardians (which, for purposes of this policy, includes persons in parental relation) may contact their children via the following methods: calling the respective school's main office number. Students may contact their parents from the main office. The District will notify parents in writing of the communication protocol at the beginning of each school year and upon enrollment.

B. Administrators will also discuss the aims of this policy with students and their parents, the benefits of a distraction-free environment, the reasons the student had difficulty

following this policy, and how the district can help the student contribute to a distraction-free environment.

VI. NOTIFICATION

The District will publish an annual report on its website detailing the enforcement of this policy for the last school year with the applicable requirements as stated by Education Law section 2803. The District will include the information from this policy, or a plain language summary, in the student handbook and on the School District's website. Students will also be reminded of this policy regularly and consistently, especially at the start of the school year and after returning from breaks.

Upon request by a student or parent, the district will translate this policy into any of the twelve most common non-English languages spoken by limited-English proficient individuals in the state, as identified by the most recent American community survey published by the U.S. Census bureau.

Cross-ref: #7315*, Computer Use in Instruction*
#3410, Code of Conduct

#8271, Internet Safety

Ref: Education Law §2803

Price v. New York City Board of Education, 51 A.D.3d 277, lv. to appeal denied, 11 N.Y.3d 702 (2008) (District may ban possession of cell phones on school property)

NYSED, *Prohibition of Cell Phones and Electronic Devices in New York State Assessments*, www.nysed.gov/educator-integrity/prohibition-cell-phones-and-electronic-devices-new-york-state-assessments.

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