
Students and Personally Owned Telecommunication Devices

Definitions:

- A. *“Telecommunication devices”* means devices which transmit a signal, receive a signal (either wired or wireless); create or transmit a sound; or display digital visual media; capture photography digitally or conventionally; or, capture video or sound digitally or conventionally. Examples include, but are not limited to computers, mobile telephones, connected smart watches, portable gaming systems, and portable music players.
- B. *“Personally owned”* means items that are not owned by the school district.
- C. *“Sexting”* means sending, forwarding, displaying, retaining, storing or posting sexually explicit, lewd, indecent or pornographic photographs, images or messages by or on a cell phone, computer or other electronic means during school hours or school activities on or off campus; while on school district property, during any recess, lunch or leave periods on or off school district property; or beyond the hours of school operation if the behavior detrimentally affects the personal safety or well-being of school-related individuals, the governance, climate or efficient operation of the school; or the educational process or experience.
- D. *“Disrupting the Learning Environment”* means any gesture, any electronic communication or any written, verbal or physical act or statement initiated, occurring, transmitted or received by a student at school that a reasonable person under the circumstance should know will have the effect of:
 - 1. Insulting, mocking or demeaning a student or group of students causing substantial disruption in, or substantial interference with, the orderly operation of the school; or
 - 2. Creating an intimidating, threatening, hostile or abusive educational environment for a student or group of students through substantially severe, persistent or pervasive behavior.
- E. *“Third parties”* include, but are not limited to coaches, school volunteers, parents or guardians, school visitors, service contractors or others engaged in district business or activities that are not directly subject to District control at inter-district and intra-district athletic competitions or other school events.

Reporting Violations:

Any student, employee, parent or guardian or third party who has knowledge of conduct in violation of this policy or any student who feels he/she has been a victim of sexting, menacing, retaliation or reprisal in violation of this policy shall immediately report the concerns to:

- A. The building principal or his/her designee;
- B. A teacher, who will be responsible for notifying the building principal or designee immediately if the matter cannot be adequately addressed by the teacher, or warrants administrative intervention;
- C. A counselor, who is responsible for notifying the building principal or designee immediately if the matter cannot be addressed by the counselor or is sufficiently serious to warrant administrative intervention; or
- D. The superintendent of schools or designee.

Investigating:

The principal or designee shall be responsible for timely investigating a complaint made under this policy. The investigation, witness statements and evidence shall be documented along with the outcome of the investigation.

In the course of the investigation, administrative staff will not send, receive or unnecessarily view or transmit sexting photographs or any other inappropriate images on either the district's or their personal electronic devices. The examination or viewing of the evidence/information will be limited to the extent necessary to determine that misconduct occurred.

Parent or Guardian Notification:

Parents or guardians of all students identified in the report shall be notified of the investigation and informed of their students' involvement in the incident.

Discipline:

Students whose behavior violates this policy as it relates to sexting will be subject to disciplinary action including expulsion. Law enforcement will also be notified when conduct may violate criminal laws.

In addition to discipline, the district may recommend or require intervention services. These interventions may include consultation, counseling, education, mediation and/or other opportunities for problem-solving.

In imposing discipline, the administrator will take into consideration the context of the events, all relevant circumstances, the parties' prior behavior, the nature of the behavior and its potential harm and the emotional and/or physical harm resulting from the reported party's actions. Additional penalties and/or consequences as serious as expulsion may be imposed, if in the opinion of the administration they are warranted due to extreme circumstances, related violations, or irreparable harm.

Sexting Offenses**First offense:**

- A. Parents or guardians will be notified;
- B. The district will file an information report with the police by phone or in writing;
- C. The student's phone or electronic device will be confiscated, searched and returned only to a parent or guardian;
- D. The student will receive out-of-school suspension.
- E. The district may impose appropriate interventions.

Second offense:

- A. Parents or guardians will be notified;
- B. Police will be notified;
- C. The student's phone or electronic device will be confiscated, searched and returned only to a parent or guardian;
- D. The student will receive a long-term suspension; and
- E. If the student is involved in extracurricular activities, there will be additional consequences as outlined by school/activities policies and procedures.

Third offense:

- A. Parents or guardians will be notified;
- B. Police will be notified;
- C. The student's phone or electronic device will be confiscated, searched and returned only to a parent or guardian;
- D. The student will be expelled; and
- E. If the student is involved in extracurricular activities, there will be additional consequences as outlined by school/activities policies and procedures.

Other inappropriate or unauthorized use of telecommunication devices

Students who violate the telecommunications device policy by inappropriate use of their device will be subject to progressive disciplinary action:

First offense

1. Warning from staff to put the device away.
 - Phones turned off, and in the backpack
 - Staff will communicate a warning to parents (phone call/email/Talking Points message)

Second offense

2. Teacher will take the device until the end of the period.
 - Students can pick up the phone at the end of the class period
 - Staff communicate a warning to parents (phone call/email/Talking Points message)
 - Staff will fill out a referral form

Third offense

3. Teacher will take the telecommunications device/cell phone to the office for the day.
 - Students can pick up the phone at the end of the day in the office
 - Staff communicate a warning to parents (phone call/email/Talking Points message)
 - Staff will fill out a referral form

Fourth offense

4. The device will be sent to the office and the parent must pick up the device.
 - Parent can pick up the phone at the end of the day in the school office
 - Principal or designee will communicate a warning to parents (phone call/email/Talking Points message)
 - Staff will fill out a referral form.

Fifth offense

4. The device will be sent to the office and the parent must pick up the device.
 - Parent can pick up the phone at the end of the day in the school office
 - Staff will fill out a referral form.
 - Student will be subject to progressive discipline.