

POLICY ON ELECTRONIC COMMUNICATION DEVICES

A. Purpose.

The Board of Education recognizes that electronic communication devices (ECD) can play a vital role during emergency situations at and in communicating with a student's family. However, the ordinary use of cellular phones in school situations can be disruptive to the educational environment. This technology allows students to take digital photographs or digital video, record conversations and to text others. This Policy outlines acceptable use of such devices and how to appropriately define when these devices are being abused to create a distraction to the regular educational environment.

B. Definitions.

1. "Acceptable Use" means use authorized by this policy subject to limitations of this and other policies the district.

2. "Electronic Communication Device" or "ECD" is defined as cellular phones, table computers or comparable communication device that is not connected to a standard telephone outlet or permanent connector which received signals or data from a dedicated communication link or cellular network or from a wireless network connected to the Internet.

3. "Obscene" means any material, when the content if taken as a whole:

- (a) appeals to a prurient interest in sex, as determined by the average person applying contemporary community standards;
- (b) portrays a prohibited sexual act in a patently offensive way; and
- (c) lacks serious literary, artistic, political or scientific value.

4. "Sexting" means the-sending, receiving, forwarding, viewing or reading any sexually explicit or obscene images, text messages, photo messages or voice messages via ECD. Sexting includes messages, photos and images being further disseminated through e-mail and internet-based social networking sites beyond their original intended recipients. The images contained in any message, photo or image may depict real images or animation.

5. "Sexually Explicit Conduct" has the same meaning as defined in 18 U.S.C. §2256 and includes child pornography and lewd and sexually explicit exhibition with a focus on the genitals or pubic area of any person for the purpose of sexual stimulation.

C. Acceptable Use.

1. The Principal determines acceptable use at the school site overall for non-instructional use.
2. Classroom teachers determine acceptable use for instructional purposes within their own classrooms.
3. A student may possess and use an electronic communications device if authorized in a student's IEP for educational purposes or 504 plan for health related purposes. Use of the device must be in accordance with the IEP or 504 Plan and this policy.
4. ECDs shall be kept in a backpack, purse or pocket and not be turned on or used in any way:

- (a) during instructional time unless authorized by the teacher for instructional purposes or as an educational resource approved by the teacher;
- (b) during other school-sponsored and supervised group activities during the school day (for example, during student assemblies, awards, or other public ceremonies, etc.); or
- (c) when their use is otherwise prohibited by school personnel. Instructional time includes the entire period of a scheduled class, and other time when students are directed to report to and participate in any instructional activity.
5. ECD may be used before classes begin in the morning, during the student's lunch period, and after the student's last class in the afternoon. ECD are allowed to be taken and used on school trips except that they may not be used during any instructional activity or at other times when school personnel prohibit their use. Coaches and sponsors are encouraged to set written guidelines for their use.
 6. ECD (a) that produce any audible sound, whether through a speaker, earphones, buzzer or other means, and cellular phones that produce a ring tone or vibrating alert, (b) that are visible, or (c) that are otherwise used in violation of this policy without specific permission of school personnel will be confiscated by school personnel. They may be obtained by the parent or guardian from a building administrator in accordance with procedures applicable to confiscation.
 7. Students are required to turn ECD over to school personnel when requested. Students who refuse to do so may be removed from class or other school activities, have committed insubordination and resisting authority, and shall be subject to disciplinary action.
 8. Use of cameras or the camera features on a cell phone or other portable ECD without the consent of the person whose image is captured, or in a restroom or a locker room or for any use constituting an invasion of any person's reasonable expectation of privacy is strictly prohibited.
 9. The use of ECD for the purpose of sexting, gathering or transmitting sexually explicit images, obscene images or text, engaging in other conduct in violation of school policy or federal or state law or in a manner that causes substantial disruption during the school day or in a school sponsored activity is prohibited at any time. Other examples of prohibited use of ECD include, but are by no means limited to: text or other electronic messages that contain harassment, bullying, threatening, intimidation, hate/bias, extortion, sexual harassment, hazing, gang activity, solicitation, sale/distribution of any prohibited substances or items, the unauthorized use of electronic images or access to unauthorized video/sound recordings.
 10. The Superintendent or designee may establish and school personnel may enforce additional guidelines appropriate to campus needs.
 11. The District assumes no responsibility for loss or damage to ECD, whether in the possession of students or if confiscated by school personnel.
 12. Students violating the policy shall be subject to confiscation of the ECD as well as additional disciplinary action.

D. Electronic Communication Devices during Testing

During the PVSDs' student participation in State mandated assessments such as the annual New Mexico Standards-Based Assessments (NMSBA) and other short cycle assessments, students are not allowed to:

- have electronic devices, inclusive but not limited to, cell phones, in their possession during any testing sessions

- have any electronic devices, inclusive but not limited to, cell phones, outside of their backpacks during testing
- have any electronic devices powered “on” during any testing periods
- place backpacks anywhere in the classroom other than in the front of the room

ECD use during state assessments will comply with State guidance.

E. Electronic Communication Devices during Direct Supervision of Students

Any staff responsible for the direct supervision of students (on duty) should not be using any ECDs unless there is an emergency situation. The expectation is that all staff will exercise “good judgment” in the use of ECDs at any time during the school day.