

STUDENT CONDUCT
PERSONAL COMMUNICATION DEVICES/ELECTRONIC DEVICES

FNCE
(LOCAL)

Note: For searches of personal telecommunications devices or other personal electronic devices, see FNF.

Personal Use

~~Telecommunications
Devices~~

~~An authorized District employee may confiscate a personal telecommunications device, including a mobile telephone, used in violation of applicable campus rules.~~

~~A confiscated personal telecommunications device shall be released for a fee determined by the Board. In accordance with the student handbook, the student or the student's parents may retrieve the device after paying the fee.~~

~~If a personal telecommunications device is not retrieved, the District shall dispose of the device after providing notice required by law.~~

~~Other Electronic
Devices~~

~~Guidelines regarding other personal electronic devices shall be addressed in the student handbook.~~

Instructional Use

~~A student shall obtain prior approval before using personal telecommunications or other personal electronic devices for on-campus instructional purposes. The student shall also acknowledge receipt and understanding of applicable regulations and shall sign the appropriate user agreements. [See CQ]~~

PURPOSE

MULTIPLE STUDIES HAVE DOCUMENTED THE HARMFUL EFFECTS OF CELL PHONE AND SOCIAL MEDIA USE ON STUDENT WELL-BEING AND ACADEMIC PROGRESS. AS A RESULT, TEXAS LAW REQUIRES PUBLIC SCHOOLS TO PROHIBIT THE USE OF PERSONAL COMMUNICATION DEVICES DURING THE SCHOOL DAY ON SCHOOL PROPERTY. THIS POLICY IS ADOPTED TO IMPLEMENT THIS REQUIREMENT AND IMPROVE THE QUALITY OF THE LEARNING ENVIRONMENT IN OUR SCHOOLS.

DEFINITIONS

"SCHOOL PROPERTY" MEANS ANYWHERE ON A SCHOOL'S CAMPUS OR IN A DISTRICT FACILITY WHERE INSTRUCTION IS PROVIDED, INCLUDING BUT NOT LIMITED TO: CLASSROOMS, HALLWAYS, GYMS, CAFETERIAS, BAND HALLS AND ALL OTHER EXTRACURRICULAR SPACES; OUTDOOR FIELDS, TRACKS, AND OTHER ATHLETIC AREAS; ALL BREEZEWAYS, COURTYARDS, PLAYGROUNDS, AND OTHER OUTDOOR AREAS, SPECIFICALLY INCLUDING ALL SCHOOL PARKING LOTS.

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- **SCHOOL PROPERTY EXCLUDES OFF-SITE EDUCATION LOCATIONS WHERE THE FACILITY IS SUBJECT TO RULES OUTSIDE THE CONTROL OF THE SCHOOL DISTRICT. THIS INCLUDES OFF-SITE DUAL CREDIT COLLEGE COURSE ATTENDANCE. WHILE AT AN OFF-SITE EDUCATION LOCATION, STUDENTS MUST FOLLOW ANY COMMUNICATION DEVICE REQUIREMENTS IN PLACE AT THAT LOCATION.**
- **SCHOOL PROPERTY EXCLUDES STUDENTS LEARNING FROM HOME.**

“SCHOOL DAY” MEANS THE TIME OF DAY BEGINNING WITH THE FIRST BELL OF THE DAY AND ENDING WITH THE LAST BELL OF THE DAY.

- **BEFORE OR AFTER-SCHOOL ACTIVITY FOR A SCHOOL-SPONSORED EXTRACURRICULAR ACTIVITY IS NOT PART OF THE SCHOOL DAY.**

“USE” IS DEFINED AS A DEVICE IN POSSESSION OF A STUDENT THAT IS TURNED ON AND CAPABLE OF RECEIVING OR SENDING A COMMUNICATION SIGNAL.

“POSSESSION” IS DEFINED AS BEING ON THE PERSON OF THE STUDENT, DIRECTLY HELD, IN POCKETS OR OTHERWISE ACCESSIBLE AND UNDER THE CONTROL OF THE STUDENT DIRECTLY.

“PERSONAL COMMUNICATION DEVICE” IS DEFINED IN TEXAS EDUCATION CODE SECTION 37.082(D). IT ALSO INCLUDES ANY WEARABLE TECHNOLOGY THAT IS CAPABLE OF DIGITAL COMMUNICATION OR TELECOMMUNICATION, LIKE GLASSES. THE DEFINITION DOES NOT INCLUDE A LAPTOP OR TABLET OWNED BY A STUDENT THAT IS AUTHORIZED, OPERATED, AND FUNCTIONS AS PROVIDED TO THE STUDENT AS PART OF THE DISTRICT’S BRING-YOUR-OWN-DEVICE (BYOD) PROGRAM, WHICH DISABLES THE DEVICE’S ABILITY TO ENGAGE IN COMMUNICATION WITH OTHER DEVICES EXCEPT THOSE DEVICES THAT ARE PART OF THE SCHOOL SYSTEM’S INSTRUCTIONAL PROGRAM, IS USED UNDER OBSERVATION BY AND AT THE DIRECTION OF A TEACHER, DURING SCHOOL TIME WHEN INSTRUCTION IS OCCURRING, AND USED IN ACCORDANCE WITH THE DISTRICT’S BYOD ACCEPTABLE USE POLICIES.

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**POSSESSION OF
PERSONAL
COMMUNICATION
DEVICE**

STUDENTS MUST KEEP A PERSONAL COMMUNICATION DEVICE POWERED OFF THE ENTIRETY OF THE SCHOOL DAY WHILE ON SCHOOL PROPERTY AND MUST KEEP IT OUT OF REACH IN THE STUDENT'S LOCKER, IN A BACKPACK, OR A PERSONAL BAG.

**BEGINNING OF DAY
PROCEDURES**

WHEN THE SCHOOL DAY BEGINS, EACH STUDENT SHALL POWER OFF ALL PERSONAL COMMUNICATION DEVICES AND ENSURE THEIR PERSONAL COMMUNICATION DEVICE(S) REMAINS UNUSED BY:

- SECURING THE DEVICE(S) IN THE STUDENT'S LOCKER, BACKPACK OR PERSONAL BAG FOR THE ENTIRETY OF THE SCHOOL DAY; STUDENTS SHOULD NOT HOLD/HAVE A DEVICE IN THEIR HANDS AT ANY TIME DURING THE SCHOOL DAY; STUDENTS FOUND PHYSICALLY ACCESSING THE DEVICE, EITHER IN THE OPEN OR BY ATTEMPTING TO ACCESS WITHIN A LOCKER, BACKPACK OR PERSONAL BAG ARE IN VIOLATION OF THIS POLICY.

**END OF DAY
PROCEDURES**

AT THE CONCLUSION OF THE SCHOOL DAY, SUBJECT TO ANY OTHER LIMITATIONS CONTAINED IN THIS POLICY, EACH STUDENT MAY BEGIN USING THEIR PERSONAL COMMUNICATION DEVICE.

**CONFISCATION OF
DEVICES**

EACH SCHOOL MUST DESIGNATE AN APPROPRIATELY SECURED LOCATION IN THE SCHOOL (E.G., A PORTION OF THE MAIN OFFICE) WHERE CONFISCATED STUDENT PERSONAL COMMUNICATION DEVICES SHALL BE KEPT, AND A PROCESS TO ENSURE THE SCHOOL CAN IDENTIFY WHICH STUDENT IS THE OWNER OF EACH DEVICE THAT IS KEPT.

ALL DISTRICT ADMINISTRATORS AND SCHOOL-BASED STAFF MEMBERS ARE AUTHORIZED TO CONFISCATE A PERSONAL COMMUNICATION DEVICE USED IN VIOLATION OF THIS POLICY. IF A STAFF MEMBER CONFISCATES A STUDENT DEVICE, THE STAFF MEMBER SHOULD BRING THE DEVICE TO THE DESIGNATED STORAGE LOCATION WHEN CONVENIENT DURING THE DAY, AND THE STAFF MEMBER REMAINS RESPONSIBLE FOR THE DEVICE UNTIL THEN.

**DISCIPLINARY
MEASURES**

A STUDENT WHO VIOLATES THIS POLICY IS SUBJECT TO THE FOLLOWING DISCIPLINARY MEASURES, SUBJECT TO AND IN ACCORDANCE WITH THE DISTRICT'S STUDENT CODE OF CONDUCT (SCOC), INCLUDING ANY PROGRESSIVE SANCTIONS FOR ONGOING VIOLATIONS:

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1ST OFFENSE: WARNING GIVEN TO STUDENT, PARENT COMMUNICATION, INCIDENT DOCUMENTED.

2ND OFFENSE: DEVICE CONFISCATED, PHONE CALL TO PARENT, INCIDENT DOCUMENTED, PHONE RELEASED TO STUDENT AT THE END OF THE SCHOOL DAY.

3RD OFFENSE (AND HIGHER): DEVICE CONFISCATED, PHONE CALL TO PARENT, AND INCIDENT DOCUMENTED. PARENTS MUST RETRIEVE THE DEVICE FROM SCHOOL AT THE END OF THE SCHOOL DAY.

THE SCHOOL MAY IMPOSE ADDITIONAL CONSEQUENCES AS OUTLINED IN THE STUDENT CODE OF CONDUCT FOR CONTINUED REFUSAL TO FOLLOW THE RULES.

IF A PERSONAL COMMUNICATION DEVICE IS NOT RETRIEVED BY A PARENT OR GUARDIAN WITHIN TWO WEEKS OF THE SCHOOL SENDING NOTICE, THE SCHOOL SHALL SEND A SECOND NOTICE THAT SPECIFIES THAT THE SCHOOL WILL DISPOSE OF THE DEVICE IF NOT RETRIEVED WITHIN 90 DAYS OF THE SECOND NOTICE. THE SCHOOL MAY DISPOSE OF THE DEVICE IF NOT RETRIEVED WITHIN 90 DAYS OF SENDING A SECOND NOTICE TO THE STUDENT'S PARENT OR GUARDIAN.

EXCEPTIONS

EACH PRINCIPAL MUST MAINTAIN A LIST OF STUDENTS FOR WHOM AN EXCEPTION APPLIES AND ANY LIMITATIONS/SITUATIONS TO WHICH THE EXCEPTION APPLIES. PRINCIPALS MUST ENSURE THAT ALL APPROPRIATE STAFF ARE MADE AWARE OF EACH STUDENT'S AUTHORIZED EXCEPTION TO USE PERSONAL COMMUNICATION DEVICES.

- 1. A STUDENT WHO HAS A DOCUMENTED NEED TO USE A PERSONAL COMMUNICATION DEVICE IN AN INDIVIDUALIZED EDUCATION PROGRAM (IEP), SECTION 504 ACCOMMODATION PLAN, INDIVIDUALIZED HEALTH PLAN, OR OTHER SIMILAR PROGRAM OR PLAN.**
- 2. A STUDENT HAS A DOCUMENTED NEED TO USE A PERSONAL COMMUNICATION DEVICE BASED ON A DIRECTIVE FROM A QUALIFIED PHYSICIAN; A DIRECTIVE MUST BE SUBMITTED TO THE CAMPUS PRINCIPAL. A QUALIFIED PHYSICIAN FOR PURPOSES OF THIS POLICY SHALL MEAN A PHYSICIAN LICENSED TO PRACTICE IN TEXAS. THE DIRECTIVE**

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MUST STATE THE CONDITIONS UNDER WHICH THE STUDENT WOULD NEED TO ACCESS AND USE THEIR PERSONAL COMMUNICATION DEVICE DURING THE SCHOOL DAY ON SCHOOL PROPERTY. THE PARENT MAY BE ASKED TO SIGN CONSENT FOR SCHOOL STAFF TO CONTACT THE PHYSICIAN SHOULD THE SCHOOL NEED MORE INFORMATION IN ORDER TO COMPLY WITH THE DIRECTIVE. USE AUTHORIZED UNDER THIS PROVISION SHOULD BE CONDUCTED IN A MANNER THAT MINIMIZES DISRUPTION TO INSTRUCTION AND THE SCHOOL ENVIRONMENT, AND MAY BE SUBJECT TO REASONABLE LIMITATION ON TIME, PLACE AND MANNER AS DETERMINED BY PRINCIPAL OR DESIGNEE. AUTHORIZATION UNDER THIS PROVISION CAN BE REVOKED IF THE DEVICE IS BEING USED IN A WAY THAT IS FOUND TO DISRUPT THE LEARNING ENVIRONMENT.

- 3. NECESSARY TO COMPLY WITH A HEALTH OR SAFETY REQUIREMENT IMPOSED BY LAW OR AS PART OF THE DISTRICT'S OR SCHOOL'S SAFETY PROTOCOLS.**

ANY STUDENT WHO IS PROVIDED AN EXCEPTION IN ACCORDANCE WITH THE ABOVE REMAINS SUBJECT TO DISCIPLINARY MEASURES IF THE STUDENT USES A PERSONAL COMMUNICATION DEVICE OUTSIDE THE SCOPE OF THE DOCUMENTED AUTHORIZED USE.

SCHOOL LIABILITY

IF A PERSONAL COMMUNICATION DEVICE IS IN THE POSSESSION OF THE SCHOOL, THE SCHOOL WILL TAKE APPROPRIATE EFFORTS TO KEEP THE DEVICE APPROPRIATELY STORED AND FREE FROM DAMAGE. HOWEVER, PARENTS SHOULD NOTE THE SCHOOL SPECIFICALLY DISCLAIMS ANY LIABILITY FOR DEVICES THAT ARE DAMAGED OR LOST WHILE IN THE SCHOOL'S POSSESSION. PARENTS WILL NOT BE COMPENSATED FOR DEVICES THAT HAVE BEEN IN THE SCHOOL'S POSSESSION IN THE EVENT THOSE DEVICES ARE LOST OR DAMAGED WHILE IN POSSESSION OF THE SCHOOL.