

ELECTRONIC PORTABLE COMMUNICATION DEVICES (ECD)

**Purpose and Intent**

The Oxford Board of Education recognizes that cellular phones and other electronic devices are commonly used and relied upon by students and staff. However, in order to maintain discipline and an orderly and non-disruptive instructional environment, the Board must regulate the use of cellular phones and other ECD's by students and staff in school buildings, in school vehicles and on school grounds while school is in session.

**Definitions**

For the purpose of this policy, "other electronic portable devices" shall include but not be limited to: beepers, pagers, walkie talkies, iPods, MP3 players, Walkmans, Blackberries, Personal Digital Assistants (PDAs), and other similar electronic devices. This definition will also include any new technology developed for similar purposes. Excluded from this definition is any device with communication capabilities that has been approved for instructional purposes.

"Use" – shall mean making or receiving phone calls, taking or receiving photographs, text messaging, playing games, listening to music and using any other function or feature of the cellular phone or other electronic portable device.

"Turned off" – shall mean that the cellular phone or other portable electronic device is turned off so that it cannot function and shall not mean that the devices are in silent or vibrate mode.

**Policy Restrictions**

Students are not permitted to use cellular phones or other ECD's while school is in session, or within the school building, at any time during the instructional day. The instructional day includes, but is not limited to, study halls, lunch breaks, class changes, and any other structured or non-structured instructional activity that occurs during the normal school day. Cellular devices and other electronic portable devices must be turned off while students are in the school building and may be turned on only after the school session has concluded for the day and students are outside of the school building. At no time shall cellular phones and other electronic portable devices be used in bathrooms, locker rooms, lunch room or in other areas designated by the chief school administrator or designee. Any cellular phone or other device must be stored in the locker provided for each student in grades 5-8. Students in grades K-4 must secure all ECD's in their backpacks and they should be turned off while in school.

Electronic portable devices may be used during the school day only if use of the device is provided in the student's IEP, or permission is received from the chief school administrator (students who possess a beeper or pager as an element of their volunteer service for the local fire department of rescue squad, must obtain written permission from the CSA prior to possessing one of these devices on school property).

Cellular phones and other ECD's may be carried on a Board of Education owned or leased school bus or vehicle while the students are being transported to and/or from school. While they may be transported they must be concealed in a backpack, pocketbook, or other container. The use of these devices on the bus is prohibited.

Evidence of unlawful or unauthorized use will result in disciplinary action in accordance with the school's Student Code of Conduct. Student's violating this policy shall be disciplined as follows:

1. First offense: The cellular phone or other electronic portable device will be confiscated and returned to the student at the end of the day.
2. Second offense: The cellular phone or other portable device will be confiscated and returned to the student's parent or guardian.
3. Third offense: The cellular phone or other device will be confiscated and returned to the student's parent or guardian and the student will serve detention for a period of time as determined by the building principal or designee.
4. Subsequent offenses: The cellular phone or other electronic portable device will be confiscated and returned to the parent or guardian and the student will serve detention or be suspended from school for a period of time as determined by the building principal or designee.

### **Liability**

The Oxford Board of Education will assume no responsibility in any circumstance for the loss/ destruction/ damage or theft of electronic portable communication devices or for any bill associated with the authorized or unauthorized use of said devices. While the administration will endeavor to assist the student's if their devices are lost or stolen, students will be responsible for locating such lost or stolen items.

### **Staff**

The staff is prohibited from the use of personal cell phones and other electronic portable devices while they are performing their assigned duties (class time, duty periods). During meeting time, personal cell phones should be turned off and not used. Personal cell phones may be used during planning times, free periods, lunch periods, and before and after the regular workday.

The policy supersedes any Board policy that is inconsistent with it.

**Date:**

**First Reading: February 21, 2008**

**Second Reading/ Adoption: March 20, 2008**

**Review Date: December 29, 2010**

**Legal References:**

*N.J. v T.L.O.*, 469 US 325 (Case Number 125), 1985

*Laney v. Farley et al*, 6<sup>th</sup> U.S. Circuit Court of Appeals, August 2007

*Requa v. Kent School District No. 415*, 2007 WL 1531670 (W.D. Wash. May 24, 2007).

*Tinker v. Des Moines*, 393 U.S. 503, 1969

18A: 11-1	General mandatory powers and duties
18A: 37-13 <i>et seq.</i>	Harassment policy
18A: 25-2	Authority over pupils
18A: 37-3	Liability of parents of pupils for damage to property
18A: 37-15	Adoption of policy by each school district
N.J.S.A. 2C:39-1	Paging devices, possession by students

**Possible Cross-References**

2000	Administration
2130	Administrative staff
5114	Suspension and Expulsion
5131	Conduct/ Discipline
5131.7	Weapons and Dangerous Instruments
5144	Discipline/ Punishment
5145.12	Search and Seizure