

SECTION: PUPILS

TITLE: ELECTRONIC  
COMMUNICATION DEVICES

ADOPTED: JUNE 20, 2013

REVISED: JUNE 13, 2013

**DELAWARE VALLEY  
SCHOOL DISTRICT**

<b>237. ELECTRONIC COMMUNICATION DEVICES</b>	
<b>1. Purpose</b>	<p>The possession and Silent Use<sup>1</sup> of Electronic Communication Devices, including Personal Electronic Communication Devices, by School District students is permitted when in compliance with this Policy, other School District policies, regulations, rules, and procedures, ISP terms, and local state, and federal laws, and supportive of the educational program of the School District. However, the possession and use of Electronic Communication Devices, including Personal Electronic Communication Devices, by students that are found to be disruptive to the educational process and/or environment can be abusive in ways that negatively affect students, employees, and the School District's mission and environment, and is prohibited in accordance with this Policy, other School District policies, regulations, rules and procedures, ISP terms, and local, state, and federal laws.</p>
<b>2. Definitions</b>	<p><b><i>Electronic Communication Devices</i></b> – are communication devices with voice, data, text, and/or navigation capabilities that are able to access the Internet, transmit telephone calls, text messages, email messages, instant messages, video communications (such as iChat and Skype), perform word processing and other computer and online applications (apps), and provide location information. The devices are capable of electronically communicating, sending, receiving, storing, recording, reproducing, and/or displaying information and data.</p> <p>Examples of Electronic Communication Devices include smartphones (iPhone, Blackberry), cellular phones, mobile phones (with recording and/or camera/video and other capabilities and configurations); traditional telephones; pagers; global positional system (GPS) instruments; computers; portable game units; graphic calculators; MP3, music, and media players; PDAs; digital cameras; tablet and laptop computers; and other similar devices. Electronic Communication Devices may also be referred to as electronic devices in other publications and School District policies.</p> <p>Electronic Communication Devices could be devices that are not capable of transmitting telephone communications (such as iPads, radios), do not have Internet access (such as School District issued and student-owned Kindles), are lasers, and/or</p>

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<sup>1</sup> See Definition section for the defined terms generally provided in initial capital letters throughout this Policy.

<p><b>3. Authority</b></p> <p>24 P.S. § 510 24 P.S. §1317.1 Policy 815</p>	<p>are radar communication devices.</p> <p><b><i>Personal Electronic Communication Devices</i></b> – are Electronic Communication Devices that are owned by the student.</p> <p><b><i>Silent Use</i></b> – is the use of Electronic Communication Devices, including Personal Electronic Communication Devices that make no sound, are inaudible, and are speechless. Examples of Silent Use include texting, and electronic messaging. No device ringing, ringtones, or sound effects are permitted at any time, unless a teacher permits such use in an area within the teacher’s control and is not disruptive to other employees and students.</p> <p>The Board permits Silent Use of Electronic Communication Devices, including Personal Electronic Communication Devices, by middle school and high school students during the school day in School District buildings, on School District property, and while students are attending School-District-sponsored activities during regular school hours when they are in compliance with this Policy, other School District policies, regulations, rules, and procedures, and so long as such use does not interfere with the students’ educational requirements, responsibilities/duties and performance, the rights and education of others, and the operation and services of the School District.</p> <p>Secondary students may use their Personal Electronic Communication Devices with the students’ 3G/4G cellular service only if they have written consent from their parent(s)/guardian(s) on a form provided by the School District (Permission Form). The School District will not be responsible for Student’s acts conducted through their 3G/4G cellular service. Parent(s)/Guardian(s) are responsible for their child’s use of their 3G/4G service. This means that parent(s)/guardian(s) are responsible for their child’s misuse of their Personal Electronic Communication Devices or Electronic Communication Devices in violation of this Policy, the Permission Form, and other laws. The School District will develop a listing of the students’ devices.</p> <p>Building level administrators, in consultation with the Superintendent, and/or designee, and in compliance with this Policy, other School District policies, regulations, rules, and procedures, are authorized to determine the extent of the use of Electronic Communication Devices, including Personal Electronic Communication Devices, within the middle schools and high school, on the school’s property, and/or while students are attending that school’s sponsored activities during regular school hours. For example, use of Electronic Communication Devices, including Personal Electronic Communication Devices, at the elementary grade level may be different than that at the middle school, and/or high school grade levels.</p> <p>Unless a teacher and/or principal approves use for educational purposes, Electronic</p>
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<p><b>4. Delegation of Responsibility</b></p>	<p>Communication Devices, including Personal Electronic Communication Devices, must be turned off upon entering any instructional area and remain off until the student leaves the instructional area. Instructional areas include, but are not limited to, classrooms, gymnasiums, practice fields, field trip locations, auditoriums, conference rooms, band rooms, and chorus rooms.</p> <p>In addition, unless they must be used for emergency situations, the Electronic Communication Devices, including Personal Electronic Communication Devices, must remain off during a school evacuation due to the safety and security of all individuals.</p> <p>The School District will not be liable for the theft, loss, damage, misuse, or unauthorized use of any Personal Electronic Communication Device brought to school by a student. Students are personally and solely responsible for the security of Personal Electronic Communication Devices brought to school, school events, or School District property. The School District will not be responsible for restricting, monitoring, or controlling the personal electronic communications of students; however, it reserves the right to do so.</p> <p>If Personal Electronic Communication Devices are loaned to or borrowed and/or misused by non-owners, the owners of the Personal Electronic Communication Devices are jointly responsible with the non-owner for the misuse and/or violation of School District policy, regulations, rules, or procedures.</p> <p>The Superintendent is granted the authority to create and enforce regulation(s), rules, procedures, and forms to accompany this Policy.</p> <p>The Superintendent, and/or designee, shall annually notify students, parent(s)/guardian(s), employees, and Guests about the School District's Electronic Communication Device Policy by publishing the Policy in the student handbook, newsletter, posted notices on the School District's website, and/or any other methods of communication.</p> <p>The Superintendent, and/or designee, is responsible for training and retraining administrators and employees who are responsible for the use, supervision, discipline, investigation, confiscation, searching, and/or other matters involving students' Electronic Communication Devices, including Personal Electronic Communication Devices, use.</p> <p>Students must comply with this Policy, other relevant School District policies, regulations, rules and procedures. Student must comply with the guidelines set by the classroom teacher and/or School District and building level officials for the use of Electronic Communication Devices, including Personal Electronic Communication Devices. Students will be held responsible for their conduct in the use of the Devices and are subject to the consequences provided in Guidelines,</p>
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<p><b>5. Guidelines</b> Policies 218, 233</p>	<p>Section (h) of this Policy.</p> <p>a. In accordance with this Policy, Electronic Communication Devices, including Personal Electronic Communication Devices, <i>may be used</i> in authorized areas or as determined by the School District administration as follows:</p> <ul style="list-style-type: none"><li>• For educational or instructional purposes</li><li>• When the educational, safety, emergency, medical, or security use of the Electronic Communication Devices, including Personal Communication Devices, by the student is approved by the building level administrator, or designee, or the student’s IEP team. In such cases, the student’s use must be supervised by a School District professional.</li></ul> <p>b. In accordance with this Policy, Electronic Communication Devices, including Personal Electronic Communication Devices, <i>may not be used</i> in unauthorized areas or as determined by the School District administration as follows:</p> <ul style="list-style-type: none"><li>• The Board strictly prohibits possession by students on school grounds, at School District-sponsored activities, and on buses or other vehicles provided by the School District any non-School District-owned laser pointers, or laser pointer attachments, and any Electronic Communication Devices, including Personal Electronic Communication Devices, that are hazardous or harmful to students, employees, and the School District, These include, but not limited to, devices that control/interfere with the operation of the buildings’ systems, facilities and infrastructure, or digital network. No exception or permission may be authorized by the principal, or designee, or anyone, for students to possess or use such devices.</li><li>• Electronic Communication Devices, including Personal Electronic Communication Devices, are not permitted to be used during tests, examinations, and/or assessments. They must be stored in closed items such as pocketbooks and book bags, and may not be visible or turned on. For example, they may not be placed on the desktop, table or on an individual’s lap.</li><li>• To cheat, engage in unethical conduct, and threaten academic integrity.</li><li>• To access and/or view Internet websites that are blocked by the School District. Examples include, but are not limited to, social media sites and “inappropriate matter” as defined in the School District’s Acceptable Use Policy and Social Media Policy.</li><li>• To take action that invades the privacy rights of any student or employee, violates the rights of any student or staff member, or harasses, threatens, intimidates,</li></ul>
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bullies or cyberbullies any student, employee, or guest, or promotes or engages in violence. Actions include, but not limited to, taking an individual's photo without consent, recording an individual's voice or image without consent, or storing/accessing personal and/or academic information/data without consent.

- In locker rooms, bathrooms, dressing rooms, swimming pool areas, and any other changing areas.
- In the hallways and during the changing of classes.
- To create, send, share, view, or disseminate sexually explicit, obscene, pornographic, child pornographic, lewd images or video content, such as acts may be a crime under state and/or federal law.
- To disrupt the educational process and/or learning environment.

c. Electronic Communication Devices, including Personal Electronic Communication Devices, that violate this Policy, other relevant School District policies, regulations, rules, and procedures shall be confiscated. The confiscated Devices shall not be returned until a conference or phone conference is held with a parent or guardian.

d. If school officials have reasonable suspicion that this Policy, other relevant School District policies, regulations, rules, procedures, and laws are violated by the student's use of Electronic Communication Devices, including Personal Electronic Communication Devices, and that the use of these devices materially and substantially disrupt the school's atmosphere, the devices may be *lawfully* searched *in accordance with the law*, and/or the Electronic Communication Devices and Personal Electronic Communication Devices may be turned over to law enforcement when warranted.

e. Students should have no expectation of privacy when using the School District-owned Electronic Communication Devices and when using the School District's WiFi or other service(s).

f. When legally required and/or when in the interest of the student, the student's parent/guardian shall be notified.

g. If an Electronic Communication Device, including a Personal Electronic Communication Device, is suspected of being stolen it shall be turned over to law enforcement.

h. Disciplinary consequences shall be in accordance with the School District's policies, regulations, rules, and procedures, including but not limited to Student Discipline, Acceptable Use, Bullying/Cyberbullying, Harassment, Social Media, and other policies.

i. Violations of this Policy should be reported to the student's principal, or designee.

**References:**

School Code – 24 P.S. §510, 1317.1

*Electronic Communications Privacy Act* – 18 U.S.C. § 2510 et seq.

*Wiretapping and Electronic Surveillance Act* – 18 Pa. C.S.A. § 5703

*Federal Children's Internet Protection Act* - 47 U.S.C. § 254

*Pennsylvania Child Internet Protection Act* – 24 P.S. § 4601 et seq.

*Bullying Act* – 24 P.S. § 13-1303.1-A

School Board Policies, Regulations, Rules, and Procedures