

STUDENT USE OF PERSONAL TECHNOLOGY**Definitions**

For the purposes of this policy:

- *Inappropriate content* is defined as content that:
 - a. Violates a district student conduct policy;
 - b. Attacks ethnicity, race, religion, or other legally protected status;
 - c. Promotes violence, terrorism, or other illegal activities including, but not limited to, tobacco, drug, and/or alcohol use by minors;
 - d. Is obscene or pornographic as defined by community standards;
 - e. Is reasonably forecasted to materially or substantially disrupt the educational environment;
 - f. Poses a direct threat to the physical safety of the school population.
 - g. Infringes on the rights of others, such as (but not limited to) material that is potentially libelous or invades an individual's privacy.
- *Personal technology* is defined as a device that is not owned by the District, is in the possession of a student, and contains one or more of the following features:
 - a. Has the capability to connect to one or more networks including but not limited to, a cellular network, Internet, Ethernet, and/or Bluetooth
 - b. Has a digital camera and/or video recording device
 - c. Has a microphone
 - d. Has data storage capability
 - e. Has an operating system and/or the capability of running software, apps, and/or electronic games.
- *School day* is defined as beginning and ending at the following times: 8:35 a.m. to 3:10 p.m.
- *School property* is defined as all property owned or leased by the District, school buses, and other district-owned or contracted vehicles.

Prohibitions

The McClusky Public School prohibits students from using personal technology as follows:

1. Students are prohibited from using personal technology to violate a student conduct policy including, but not limited to, policies on cheating and bullying while on school property or at a school-sponsored event.
2. Students are prohibited from using personal technology to photograph or video record any person during the school day. Students are furthermore prohibited from transmitting any photo or video using personal technology during the school day. Building principals are authorized to make exceptions to this rule for bona fide classroom activities and in accordance with the "exceptions" section of this policy.
3. Students are prohibited from using personal technology to photograph or video record inappropriate content and/or transmit inappropriate content while on school property and/or participating in school-sponsored events.
4. Students are prohibited from displaying and/or using personal technology in areas where there is a reasonable expectation of privacy on school property and at school-sponsored events. Students are also strongly

discouraged from possessing personal technology in areas where there is a reasonable expectation of privacy on school property and at school-sponsored events.

5. Students are prohibited from using personal technology to compromise district networks or access confidential material on district networks. The District may also take disciplinary action against a student who has used personal technology to engage in hacking, trolling, accessing or transmitting inappropriate material, spamming, sending viruses, and/or engaging in illegal or other inappropriate activity while on school property or participating in school-sponsored activity.
6. Students are prohibited from using personal technology disruptively or in a manner that potentially compromises the safety of others on district property and during school activities.
7. To ensure safety and efficiency, students are prohibited from using personal technology between classes in district hallways, when entering and exiting district transportation, and when required to be in line for activities such as, but not limited to, recess and lunch.

Classroom Use

Classroom teachers shall prohibit use of personal technology in the classroom.

Use During the School Day Outside Classroom

Elementary students are prohibited from using personal technology during lunch and recess unless granted an exception by the building principal or classroom teacher.

Middle school and high school principals shall establish rules regarding student use of personal technology during lunch, break periods, and study hall.

Disciplinary Consequences & Confiscation

Students in violation of any portion of this policy will be subject to disciplinary procedures in accordance with the district's student conduct policies. In addition, teachers may confiscate personal technology when a student is reasonably suspected of using it to violate this policy or classroom rules. Teachers may keep the personal technology until the end of class or turn it over to the building principal for further action. Teachers shall make this determination based on the severity of the suspected offense. Under no circumstances shall a teacher or ancillary staff member search personal technology.

The building principal shall determine how long to keep confiscated personal technology based on the following criteria:

1. The nature of the offense; if illegal activity is suspected, the administrator shall contact law enforcement and the Superintendent and retain the device until further directed by law enforcement or the Superintendent.
2. If the confiscate item is a phone, the principal should consider if the student walks or drives to and from school and potential safety considerations associated with not having the phone in the student's possession.
3. Other considerations of significance based on the nature of the device confiscated and the student's disciplinary history.

Searches of Personal Technology

The building principal or Superintendent is authorized to search student personal technology only when s/he has credible, specific, and timely reason to believe that the device contains evidence of wrongdoing by a student or potential harm to self or others. Only areas of the device reasonably related to the purpose of the search will be subject to a search (e.g., if a student is texting inappropriate photos, only the device's text messages will be searched). The building principal and Superintendent are authorized to contact legal counsel to help determine the appropriate scope of the search.

If the building principal or Superintendent suspects or finds that a student's personal technology contains content that violates NDCC 12.1-27.1-03.3 or other laws, s/he shall contact law enforcement. Under no circumstances shall school officials download or transfer sexually explicit content from a student's personal technology. Law enforcement, including school resource officers, must have probable cause to search the device, preferably in the form of a search warrant.

Exceptions

The Superintendent and/or his/her designee is authorized to make exceptions to the prohibitions set forth in this policy for health, safety, or emergency reasons, for students in attendance as active members of a volunteer firefighting organization or volunteer emergency medical service organization, and when use of electronic devices is provided for in a student's Individualized Education Program (IEP).

Emergencies

Students are encouraged to use any available cellular telephone in the event of an emergency that threatens the safety of students, staff, or other individuals.

Complementing Documents

- FFI-E, Personal Technology Use & Waiver of Liability
- FFK, Suspension & Expulsion
- FFK-BR, Suspension & Expulsion Regulations
- FGCB, Searches of Students & Students' Personal Property

End of McClusky School District #19 Policy FFI Adopted: March 13, 2018