

## CELL PHONES AND PORTABLE DIGITAL MEDIA DEVICES

The School District, as part of a commitment to upholding academic integrity and providing a safe learning environment free from distraction, limits student use of cellular phones and portable digital media devices.

Students may possess cellular phones and portable digital media devices on school property, while in school-owned or school-operated vehicles and while students are attending or engaged in school-sponsored activities, subject to limitations of this and other policies and regulations of the District.

Unless specific permission is granted by school personnel, cellular phones and portable digital media devices are:

1. To remain powered-off and inoperable during the regular school day or when their use is otherwise prohibited by school personnel; and
2. To be stored in a student's locker or car during the regular school day. Devices are not to be carried on a student's body, in a book bag or purse.

Instructional use of wireless communications devices shall be determined in accordance with the educational needs of students. Students with specific educational concerns or disabilities will be allowed the use of wireless communication according to their individual educational plan or 504 plan.

Students found to have violated this policy shall be subject to disciplinary action, which may include confiscation of the cellular phone or portable digital media device. The Board acknowledges that certain violations of this policy pose severe risks to academic integrity or student safety. Students found in severe violation of this policy shall be subject to appropriate disciplinary action, up to and including expulsion. Severe violations of this policy involve highly inappropriate activities including, but not limited to:

1. Electronic communication that contains inappropriate content, profanity, intimidation or threats to others;
2. Sexting, which includes intentionally creating, producing, distributing, presenting, transmitting, posting, exchanging, disseminating, or possessing, through any computer or digital media, any photograph or digitized image or any visual depiction of a person in any condition of nudity, or involved in any prohibited sexual act;
3. Academic dishonesty or cheating;

4. The use of camera or recording features of cellular phones and portable digital media devices in restrooms, locker rooms or for any use constituting an invasion of any person's reasonable expectation of privacy;
5. Communicating in any way with outside groups or individuals to participate in violent acts or other inappropriate or unlawful activities on school property or at school-sponsored activities; or
6. Refusal to relinquish phone to persons of authority upon request.

This policy shall not be interpreted to justify unreasonable searches of cellular phones or other digital media devices by school personnel. Any search of a student's cellular phone or portable digital media device by school personnel shall be:

1. Justified at its inception and based on reasonable grounds that the search would reveal evidence of a student's severe violation of this policy;
2. Reasonably related to its objectives and not excessively intrusive in light of the nature of the infraction; and
3. Conducted in accordance with district policy and in the presence of a student's parent or guardian.

As necessary for the implementation of this policy, the superintendent may establish regulations, consistent with this policy, further limiting or prohibiting the possession and use of cellular phones or portable digital media devices.

The District assumes no responsibility for loss, damage or theft of cellular phones and digital media devices, whether in the possession of students, on school property or if confiscated by school personnel pursuant to this policy.

Legal References: ARSD 24:07 (Student due process)  
SDCL 13-32-4 (School board to assist in discipline)  
SDCL 49-31-31 (Harassment by electronic devices)

Cross References: JFA: Student Due Process Rights  
JFC: Student Conduct  
JFCC (EEACC): Student Conduct on School Buses  
JFCD: Cyber Bullying  
JFCF: Hazing  
JFCE: Student Bullying  
JG: Student Discipline  
JGD: Student Suspension or Expulsion

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