

USE OF CELL PHONES AND ELECTRONIC DEVICES IN SCHOOLS

(Alternative 1)

School principals, with the approval of the Superintendent and in compliance with Board policy and administrative regulations, shall make rules regarding student use of wireless communication devices during instructional hours. School rules may also restrict student use of wireless communication devices during non-instructional hours within school buildings and programs, on school property, in school vehicles, and/or while students are attending school-sponsored activities. Other than as set forth herein, nothing in this policy prohibits the complete prohibition of student use or possession of wireless communication devices during the school day and/or at times during which the District has supervisory authority over students, or a school requirement that wireless communication devices be stored in a designated storage area inaccessible to students. Rules related to student use of electronic wireless communication devices may differ between the schools, locations within schools, times of day, grade level, programs, and activities, and individual students may have device privileges further limited as a consequence for violation of school rules. School principals shall notify students, staff and parents/guardians of applicable rules for the use of wireless communication devices within their buildings and programs.

Neither the District nor any school shall establish a rule or otherwise prohibit students from using wireless communication devices for:

- text-to-speech, speech-to-text or other assistive technologies that aid in disability accessibility communication, navigation or learning; or
- a wireless communication device if the use of the device is a medical necessity, an accommodation for a student with a disability, or included in a student's individualized education program or 504 plan; or
- a health, safety, or emergency reason, or for educational reasons, as determined by the classroom teacher or site administrator.

Violations of any school rule or regulation related to this policy shall result in disciplinary action and may result in confiscation of the wireless communication device. In such event, school officials may determine, pursuant to school rules, whether to withhold and not return the confiscated device until a conference has been held with the student's parent/guardian. School officials who confiscate a wireless communication device for violation of this policy or school rules shall not

search the contents of the device without reasonable suspicion that a search will reveal evidence of a violation of school rules or the law, and then only in compliance with the student's constitutional or other rights and as provided by policy.

Note: This material is written by NMSBA for informational purposes only, and not as legal advice. You may wish to consult with your attorney for further explanation and advice as to the content of this advisory.

Schools shall provide annual and developmentally appropriate digital citizenship instruction to students in kindergarten through grade twelve (K-12), with topics to include, at a minimum, the effects of screen time on children and risks associated with social media.

This policy shall be published on the District website.

As used in this policy, "wireless communication device" means a portable electronic device capable of transmitting voice, text or data, including but not limited to a: 1) cellular phone, smartphone or smartwatch; 2) tablet computer; 3) laptop computer; or 4) gaming device.

Adopted: date of manual adoption

LEGAL REF.:
22-1-17 NMSA

CROSS REF.:
IJNDB - Use of Technology Resources in Instruction
IJNDB-R - Use of Technology Resources in Instruction
(Regulation) JIC - Student Conduct
JIH - Student Interrogations, Searches, and Arrests
JK - Student Discipline

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USE OF CELL PHONES AND ELECTRONIC DEVICES IN SCHOOLS

(Alternative 2)

The Board prohibits the use of wireless communication devices by students during instructional hours and class time.

As used in this policy, "wireless communication device" means a portable electronic device capable of transmitting voice, text or data, including but not limited to a: 1) cellular phone, smartphone or smartwatch; 2) tablet computer; 3) laptop computer; or 4) gaming device.

Notwithstanding the foregoing, a school principal may grant approval for possession and use of a wireless communication device by a student during class time or instructional hours for the following reasons:

- Health, safety, or emergency reasons.
- An individualized education program (IEP) or Section 504 Service Agreement.
- Classroom or instructional-related activities, under the supervision of the classroom teacher.
- Other reasons determined appropriate by the building principal.

School principals may also make rules, with the approval of the Superintendent, to restrict student use of wireless communication devices during non-instructional hours within school buildings and programs, on school property, in school vehicles, and/or while students are attending school-sponsored activities. Other than as set forth herein, nothing in this policy prohibits the complete prohibition of student use or possession of wireless communication devices during the school day and/or at times during which the District has supervisory authority over students, or a school requirement that wireless communication devices be stored in a designated storage area inaccessible to students. Rules related to student use of electronic wireless communication devices during non-instructional hours may differ between the schools, locations within schools, times of day, grade level, programs, and activities, and individual students may have device privileges further limited as a consequence for violation of school rules. School principals shall notify students, staff and parents/guardians of applicable rules for the use of wireless communication devices within their buildings and programs.

Neither this policy nor any school rule shall prohibit students from using wireless communication devices for:

- text-to-speech, speech-to-text or other assistive technologies that aid in disability accessibility communication, navigation or learning; or

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- use of the device for a medical necessity, an accommodation for a student with a disability, or as provided in a student's individualized education program or 504 plan.

Violations of this policy or any school rule related to wireless communication devices shall result in disciplinary action and may result in confiscation of the wireless communication device. In such event, school officials may determine whether to withhold and not return the confiscated device until a conference has been held with the student's parent/guardian. School officials who confiscate a wireless communication device for violation of this policy or school rules shall not search the contents of the device without reasonable suspicion that a search will reveal evidence of a violation of school rules or the law, and then only in compliance with the student's constitutional or other rights and as provided by policy.

Schools shall provide annual and developmentally appropriate digital citizenship instruction to students in kindergarten through grade twelve (K-12), with topics to include, at a minimum, the effects of screen time on children and risks associated with social media.

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