

## **Cell Phones and other Devices (PCDs) in Schools (BSO)**

Norfolk Public Schools acknowledges parental concern for the safety and well-being of their children while they are attending school or school-sponsored activities. Norfolk Public Schools also understands the parental belief that students' possession of cell phones enhances their safety and security. The school division realizes, however, that student misuse of cell phones and PCDs may: (1) undermine the learning environment; (2) disrupt academic instruction and distract students; (3) compromise the integrity of student testing; (4) increase disciplinary problems; (5) violate privacy rights of students and school staff; and (6) increase the school division's exposure to opportunistic litigation and potential legal liability. In light of the foregoing, the school division permits student possession and use of cell phones and PCDs as set forth below.

**Elementary School** - Elementary students are not permitted to possess cell phones, PCDs (iPads, Kindle Fire, Nook, etc.) or other EDs (MP3- players, iPods, laser lights, etc.) and are subject to disciplinary action for any violation of this prohibition. Note: Devices, which are incapable of a wireless connection, are strictly prohibited unless used for security purposes or reasons (i.e., Gizmo Gadget or similar type device).

**Middle and High School** - Middle and high school students may possess cell phones, PCDs, and/or EDs on school property subject to the following restrictions: (1) students must not display, use, activate or permit cell phones, PCDs or EDs to be activated during the instructional day; (2) students' cell phones, PCDs, and/or EDs must be turned off and kept out of sight; cell phones, PCDs and/or EDs, may be stored in book bags, purses, lockers or on one's person.

### **Possession/Use of Cell Phones, Personal Communication Devices (PCDs) and other Electronic Devices (EDs)**

A Cell Phone is defined as a mobile phone that can only make voice calls and send/receive text messaging.

A Smart Phone is defined as a mobile phone that performs many of the functions of a computer, typically having a touchscreen interface, Internet access, and an operating system capable of running downloaded applications. A Smartphone can connect to a data plan or utilize an IEEE 802.11 wireless network. IEEE 802.11 is a set of media access control and physical layer specifications for implementing wireless local area networks (WLAN) computer communication.

BYOD is an acronym for Bring Your Own Device. For BYOD, a "device" is a privately owned mobile personal computing device (i.e., laptop, tablet, notebook, e-Reader, Smartphone, or Smartwatch, and any other non-NPS device that utilizes the 802.11 protocol or broadband access).

Electronic Data Resources are text messages, instant messages, personal identification number (PIN) messages, pictures, videos, address book, emails, voicemails, blogs, and websites.

NPS middle and high students may possess cell phones, PCDs, and/or EDs on school property subject to the following restrictions that the students' cell phones, PCDs, and/or EDs must utilize the NPS Bring Your Own Device (BYOD) network ("NPSCONNECT") only. Voice and data services should remain off during the instructional day. For the purposes of this regulation, the term "instructional day" is defined as the moment a student enters the school building until the final dismissal bell. This includes, but is not limited to study halls, lunch break, class changes, and any other structured or non-structured activity that occurs during the normal hours that school is in session. The Superintendent of Schools, or his/her designee, may

authorize building administrators/classroom teachers to allow or disallow students to utilize PCDs for instructional purposes including, but not limited to, the following guidelines:

1. All cell phones, PCD's, and EDs must use the NPS BYOD network ("NPSCONNECT") exclusively. Voice and Data services should remain in airplane mode.
2. Students are not allowed to establish 3 wireless ad-hoc or peer-to-peer network using his/her cell phone, or PCD, or any other wireless device while on school grounds. This includes, but is not limited to, the use of cell phones or PCDs as a cabled or wireless hotspot.
3. Voice, video, and image capture applications may only be used with teacher or administrator permission.
4. Sound should be muted unless the teacher or administrator grants permission for use of sound associated with the instructional activities. A teacher or administrator may permit the use of earbuds or other types of headphones.
5. The cell phone, PCD, or ED owner is the only person allowed to use the device.
6. No division-owned academic or productivity software can be installed on personal devices.
7. No student shall use any computer or device to illegally collect any electronic data or disrupt networking services.
8. Devices are brought to school at the students' and parents' own risk. In the event that a cell phone, PCD, or ED is lost, stolen, or damaged, Norfolk Public Schools is not responsible for any financial or data loss.
9. Violation of school or division policies, local, state, and/or federal laws will result in appropriate disciplinary and/or legal action as specified in the Standards of Student Conduct, School Board policy, as well as by local, state, and/or federal law.
10. The school division and school division personnel cannot attempt to repair, correct, troubleshoot, or be responsible for malfunction of personal hardware or software.
11. The school division reserves the right to examine cell phones, PCDs, and EDs and search their contents if there is a reason to believe that school division policies or local, state, and/or federal laws have been violated.

### **Charging of Devices**

It is the user's responsibility to bring their device to school charged. Personal devices should be charged and recharged outside of school unless specific permission is granted. Personal devices should be capable of lasting a full day without recharging.

### **Cell Phones and Sexting**

Sexting is frequently associated with cell phones, although other technologies can be used as well. Cell phones allow for both taking and distributing photos via text messaging. According to the National Center for Missing and Exploited Children (2009), sexting is defined as, "youth writing sexually explicit messages, taking sexually explicit photos of themselves or others in their peer group, and transmitting those photos and/or messages to their peers." The legal consequences of sexting are concerning to students, parents, schools and the community. Producing, storing or sharing lewd or explicit pictures of minors is against the law in Virginia-sections

18.2-374.1 and 18.2-374.1:1 of the Code of Virginia. Students can be charged with felonies for merely possessing such images on their cell phones, sharing them with other students via cell phone, or producing them using their cell phones. Two other laws can be invoked, depending on the circumstances if the sexting involves bullying or harassment, or if the sexting involves an adult (18 years or older) who has solicited images from a child. Sexting is prohibited in Norfolk Public Schools.

### **Use of Cell Phones, PCDs and EDs**

Students may use cell phones, PCDs, and/or EDs (1) during the instructional day in conjunction with the regulations and guidelines set forth above, (2) outside of the school building before and after the instructional day; (2) at outdoor school-sponsored activities; and (3) before, during, and after school activities (indoor or outdoor sports events, club meetings, music events, etc.). Students must make every effort to minimize inconvenience and disruption to others when utilizing these devices at school events. Students may be disciplined for disruptive or inappropriate behavior related to possession or use of the aforementioned devices.

Evidence of unauthorized or unlawful use of cell phones, PCDs, and/or EDs will result in disciplinary actions according to the discipline guidelines as specified in the Standards of Student Conduct and/or reported to law enforcement authorities.

#### **Responsibility for Cell Phones, PCDs, and EDs**

Students are solely responsible for the care and custody of cell phones, PCDs, and EDs that they choose to possess and use as permitted herein. Norfolk Public Schools shall not assume responsibility for damage, loss, or theft of any student's cell phone, PCD, or ED. Furthermore, Norfolk Public Schools shall not assume responsibility for damage, loss, or theft of any cell phone, PCD, or ED that is confiscated according to this regulation.

#### **Cell Phones, PCDs and EDs on School Bus**

Cell phones, PCDs, and EDs may be activated, displayed, or used on a School Board owned school bus by students while they are being transported to and/or from school-sponsored events.

Evidence of unauthorized or unlawful use of cell phones, PCDs, and/or EDs will result in disciplinary actions according to the discipline guidelines as specified in the Standards of Student Conduct and/or reported to law enforcement authorities.

#### **Disciplinary Actions**

The publication of this cell phone regulation serves as a warning to students for disciplinary purposes.

Failure to adhere to the terms of this regulation will result in the following progressive discipline.

**1st Offense** – The cell phone will be confiscated and returned to the student at the end of the school day. The student will sign the Acknowledgement of Further Consequences Form.

**2nd Offense** – The cell phone shall be confiscated for two (2) school days. The parent/guardian must retrieve the cell phone from the school office and sign the Acknowledgement of Further Consequences Form.

**3rd Offense** – The cell phone shall be confiscated for one (1) month. The parent/guardian must retrieve the cell phone from the school office and sign the Acknowledgement of Further Consequences Form.

**4th Offense** – The cell phone shall be confiscated for the remainder of the school year. The parent/ guardian must retrieve the cell phone from the school office and sign the Acknowledgement of Further Consequences Form.

Any disciplinary infraction that a student commits arising from the school administration's attempt to enforce this regulation shall result in disciplinary consequences determined by the Standards of Student Conduct and the NPS Level System. A cell phone, PCD, or ED may be searched or reviewed by school personnel or authorized agents when reasonable suspicion exists that the cell phone, PCD, or ED was used to violate the Standards of Student Conduct or other laws or regulations. This policy will be periodically reviewed and updated as we address our bandwidth concerns and invest in the technology infrastructure.