

Students and Telecommunication Devices

Students in possession of telecommunications devices, including, but not limited to, pagers, beepers and cellular phones, while on school property or while attending school-sponsored or school-related activities will observe the following conditions:

1. Telecommunication devices will be turned on and operated only before and after the regular school day and during the student's lunch break, unless an emergency situation exists that involves imminent physical danger or a school administrator authorizes the student to use the device;
2. Students will not use telecommunication devices in a manner that poses a threat to academic integrity, disrupts the learning environment or violates the privacy rights of others;
3. Students will not send, share, view or possess pictures, text messages, emails or other material depicting sexually explicit conduct, as defined in RCW 9.68A.011, in electronic or any other form on a cell phone or other electronic device, while the student is on school grounds, at school sponsored events or on school buses or vehicles provided by the district;
4. When a school official has reasonable suspicion, based on objective and articulable facts, that a student is using a telecommunications device in a manner that violates the law or school rules, the official may confiscate the device, which will only be returned to the student's parent or legal guardian;
5. By bringing a cell phone or other electronic devices to school or school-sponsored events, the student and their parent/guardian consent to the search of the device when school officials have a reasonable suspicion, based on objective and articulable facts, that such a search will reveal a violation of the law or school rules. The scope of the search will be limited to the violation of which the student is accused. Content or images that violate state or federal laws will be referred to law enforcement;
6. Students are responsible for devices they bring to school. The district will not be responsible for loss, theft or destruction of devices brought onto school property or to school sponsored events;
7. Students will comply with any additional rules developed by the school concerning the appropriate use of telecommunication or other electronic devices; and
8. Students who violate this policy will be subject to disciplinary action, including suspension or expulsion.

Cross References:	Board Policy 2022	Electronic Resources
	3207	Prohibition of Harassment, Intimidation and Bullying
	3241	Classroom Management, Corrective Actions or Punishment
	4310	Relations with Law Enforcement Agencies, Child Protective Agencies and County Health Officials

Management Resources:

<i>Policy News</i> , October 2010	Students and Telecommunication Devices Revisited
<i>Policy News</i> , June 2010	Students and Sexting
<i>Policy News</i> , February 2004	Evolution of Cell Phone Use

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Washougal School District
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Definitions:

- A. **Sexting** means sending, forwarding, displaying, retaining, storing or posting sexually explicit, lewd, indecent or pornographic photographs, images or messages by or on a cell phone, computer or other electronic means during school hours or school activities on or off campus; while on school district property, during any recess, lunch or leave periods on or off school district property; or beyond the hours of school operation if the behavior detrimentally affects the personal safety or well-being of school-related individuals, the governance, climate or efficient operation of the school; or the educational process or experience.
- B. **Disrupting the Learning Environment** means any intentional gesture, any intentional electronic communication or any intentional written, verbal or physical act or statement initiated, occurring, transmitted or received by a student at school that a reasonable person under the circumstance should know will have the effect of:
 - 1. Insulting, mocking or demeaning a student or group of students causing substantial disruption in, or substantial interference with, the orderly operation of the school; or
 - 2. Creating an intimidating, threatening, hostile or abusive educational environment for a student or group of students through substantially severe, persistent or pervasive behavior.
- C. **Third parties** include, but are not limited to, coaches, school volunteers, parents or guardians, school visitors, service contractors or others engaged in district business or activities that are not directly subject to District control at inter-district and intra-district athletic competitions or other school events.

Reporting Violations:

Any student, employee, parent or guardian or third party who has knowledge of conduct in violation of this policy or any student who feels he/she has been a victim of sexting, menacing, retaliation or reprisal in violation of this policy will immediately report the concerns to:

- A. The building principal or his/her designee;
- B. A teacher who will be responsible for notifying the building principal or designee immediately if the matter cannot be adequately addressed by the teacher, or warrants administrative intervention;
- C. A counselor, who is responsible for notifying the building principal or designee immediately if the matter cannot be addressed by the counselor or is sufficiently serious to warrant administrative intervention; or
- D. The superintendent of schools or designee.

Investigating:

The principal or designee will be responsible for timely investigating a complaint made under this policy. The investigation, witness statements and evidence will be documented along with the outcome of the investigation.

In the course of the investigation, administrative staff will not send, receive or unnecessarily view or transmit sexting photographs or any other inappropriate images on either the district's or their personal electronic devices. The examination or viewing of the evidence/information will be limited to the extent necessary to determine that misconduct occurred.

Parent or Guardian Notification:

Parents or guardians of all students identified in the report will be notified of the investigation and informed of their students' involvement in the incident.

Discipline:

Students whose behavior violates this policy will be subject to discipline up to and including expulsion. Law enforcement will also be notified when conduct may violate criminal laws.

In addition to discipline, the district will assist students and/or parents or guardians to resolve concerns and issues prior to the use of the formal criminal complaint process. These interventions may include consultation, counseling, education, mediation and/or other opportunities for problem-solving.

In imposing discipline the administrator will take into consideration the context of the events, all relevant circumstances, and the parties' prior behavior, the nature of the behavior and its potential harm and the emotional and/or physical harm resulting from the reported party's actions. Exceptional misconduct penalties may be imposed, if in the opinion of the administration it is warranted.

Sexting Offenses

First offense:

- A. Parents or guardians will be notified;
- B. The district will file an information report with the police by phone or in writing;
- C. The student's phone or electronic device will be confiscated, searched and returned only to a parent or guardian;
- D. The student will receive a short-term, out-of-school suspension or an in-school suspension; and
- E. The district may impose appropriate interventions.

Second offense:

- A. Parents or guardians will be notified;
- B. Police will be notified;
- C. The student's phone or electronic device will be confiscated, searched and returned only to a parent or guardian;
- D. The student will receive a long-term suspension; and
- E. The student will be ineligible to participate in extracurricular activities.

Third offense:

- A. Parents or guardians will be notified;
- B. Police will be notified;
- C. The student's phone or electronic device will be confiscated, searched and returned only to a parent or guardian;
- D. The student will be expelled; and
- E. The student will be ineligible to participate in extracurricular activities.