

USE OF ELECTRONIC COMMUNICATION AND RECORDING DEVICES (ECDR) (M)
5516 USE OF ELECTRONIC COMMUNICATION AND RECORDING DEVICES
(ECDR) (M)

[See POLICY ALERT Nos. 158, 190, and 207]

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The Board of Education believes students and/or school staff members should not be subject to having a video or audio recording taken of any student(s) or school staff member(s) for any purpose without the consent of the student, the student's parent(s)/guardian(s) and/or the school staff member. In addition to protecting the privacy rights of students and school staff members, the Board recognizes such recordings of education material, student assessment instruments, and/or student assessment reviews can be used to compromise the integrity of the district's educational program or lead to academic dishonesty in the event of such recordings are stored and/or transmitted to other students or posted to an online public or private platform. Therefore, the Board of Education adopts this Policy regarding student use of electronic communication and recording devices.

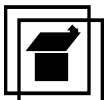
Definition:

For purposes of this policy, electronic communication and recording device (ECDR) includes computers, tablets (e.g., iPads, and similar devices), electronic readers ("e-readers"; e.g., Kindles, and similar devices), cell phones (e.g., mobile/cellular telephones, smartphones (e.g., Blackberry, iPhone, Android devices, Windows Mobile devices, etc.), telephone paging devices (e.g., beepers or pagers), smart wearables (smart watches, smart glasses, augmented reality devices, AngelSense devices or similar, etc.) and/or other web-enabled devices of any type. Students may not use ECDRs on school property or at a school-sponsored activity to access and/or view Internet websites that are otherwise blocked to students at school.

All Students:

Except as authorized by a teacher, administrator or IEP team, all students are prohibited from using ECDRs during the school day, including while off-campus on a field trip, to capture, record and/or transmit the words or sounds (i.e. audio) and/or images (i.e., pictures/video) of any student, staff member or other person.

ECDRs, including but not limited to those with cameras, may not be activated or utilized at any time in any school situation where a reasonable expectation of personal privacy exists. These locations and circumstances include, but are not limited to, locker rooms, shower facilities, rest/bathrooms, and any other areas where students or others may



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change clothes or be in any stage or degree of disrobing or changing clothes. The Superintendent and building principals are authorized to determine other specific locations and situations where use of an ECRD is absolutely prohibited.

All students may not use ECRDs in any way that might reasonably create in the mind of another person an impression of being threatened, humiliated, harassed, embarrassed or intimidated. See Policy 5512 Harassment, Intimidation, and Bullying. In particular, students are prohibited from using ECRDs to: (1) transmit material that is threatening, obscene, disruptive, or sexually explicit or that can be construed as harassment or disparagement of others based upon their race, color, national origin, sex, sexual orientation, disability, age, religion, ancestry, or political beliefs; and (2) engage in "sexting" – i.e. sending, receiving, sharing, viewing, or possessing pictures, text messages, e-mails, or other materials of a sexual nature in electronic or any other form. Violation of these prohibitions shall result in disciplinary action. Furthermore, such actions will be reported to local law enforcement and child services as required by law.

All students are also prohibited from using ECRDs to capture, record, and/or transmit test information or any other information in a manner constituting fraud, theft, cheating, or academic dishonesty. Likewise, students are prohibited from using ECRDs to receive such information.

Elementary and Middle School Students:

Elementary and Middle School students are expected to have their ECRD devices powered completely off (i.e., not just placed into vibrate or silent mode) and stored either in their lockers or backpacks during the school day. They are not permitted to use them at all during the school day unless specifically granted permission by building administration.

High School Students:

High school students may use personal communication devices (PCDs) before and after school, during their lunch break, in between classes as long as they do not create a distraction, disruption or otherwise interfere with the educational environment, during after school activities (e.g. extra-curricular activities) and/or at school-related functions. Use of PCDs, except those approved by a teacher or administrator, at any other time is prohibited and they must be powered completely off (i.e., not just placed into vibrate or silent mode) and stored out of sight. Students may not make any phone calls or use audio and video platform like FaceTime, during the school day. Students may use ECRDs while riding to and from school on a school bus or other board Board-provided vehicles during school-sponsored activities, at the discretion of the bus driver, classroom teacher



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and/or sponsor/advisor/coach. Distracting behavior that creates an unsafe environment will not be tolerated.

Violation of Policy:

Violations of this policy may result in disciplinary action and/or confiscation of the ECRD. The building principal will also refer the matter to law enforcement or child services if the violation involves an illegal activity (e.g., child pornography, sexting, etc.). Discipline will be imposed on an escalating scale ranging from a warning to an expulsion based on the number of previous violations and/or the nature of or circumstances surrounding a particular violation. If the ECRD is confiscated, it will be released/returned to the student's parent/guardian after the student complies with any other disciplinary action. A confiscated device will be marked in a removable manner with the student's name and held in a secure location in the building's central office until it is retrieved by the parent/guardian or turned over to law enforcement. School officials will not search or otherwise tamper with ECRDs in District custody unless they reasonably suspect that the search is required to discover evidence of a violation of the law or other school rules. Any search will be conducted in accordance with Policy 5770 Student Right of Privacy. If multiple offenses occur, a student may lose their privilege to bring an ECRD to school for a designated length of time or on a permanent basis.

A person who discovers a student using an ECRD in violation of this policy is required to report the violation to the building principal.

Students are personally and solely responsible for the care and security of the ECRDs. The Board assumes no responsibility for theft, loss, or damage to, or misuse or unauthorized use of ECRDs brought onto its property.

Parents/guardians are advised that the best way to get in touch with their child during the school day is by calling the school office.

Students may use school phones to contact parents/guardians during the school day.

~~The Board recognizes that students may possess and may need to use remotely activating communications devices, including pagers and cellular telephones. To maintain a safe and orderly school environment, this policy describes the terms and conditions for the possession and use of these communications devices.~~

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Cellular Telephones

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~~Students may possess but are not permitted to use cellular telephones while school is in session. Cellular telephones may not be visible and must be turned off while the student is in the school building. Cellular telephones may be turned on outside the school building only after school has concluded for the day, unless otherwise authorized by the Principal or his/her designee. Cellular telephones that are turned on in violation of this policy shall be confiscated and the student will be subject to appropriate disciplinary action.~~

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Pagers

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~~By law, students are not permitted to bring or possess a remotely activating paging device on any school district property at any time regardless of whether school is in session or other persons are present. In cases in which a parent or guardian can establish to the satisfaction of the building Principal a reasonable basis for the possession of the device, the building Principal may grant permission for a student to bring or possess a remotely activating paging device.~~

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~~A reasonable basis for possessing a remotely activating paging device may be established by a student who is an active member in good standing of a volunteer fire company, first aid, ambulance or rescue squad, but only if the student is required to respond to an emergency. To obtain permission, a parent or guardian must provide a written statement to the building Principal from the chief executive officer of the volunteer fire company, first aid, ambulance or rescue squad authorizing the possession of the device by the student at all times and confirming that the student is required to respond to an emergency.~~

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~~In all other cases, requests to possess a remotely activating paging device on any school property must be provided in writing by a parent or guardian to the building Principal. The written request must include the purpose for the student possessing and/or bringing the device on school property and the date or dates on which the student requests permission to possess and/or bring the device on school property. The written request must also include the date on which the student will no longer need to bring and/or possess the device on school property.~~

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~~The building Principal will review the request form the student and make a written determination. If the request is approved, permission to possess a remotely activating paging device will be provided only for a period of time not exceeding the duration of the current school year.~~

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~~The student must submit a new request if the time for which permission is given to bring and/or possess a paging device expires. Permission to possess and/or bring the device onto any school property is limited to the student whose request was approved. No other student may possess or use the device on school property.~~

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~~In the event a student violates this policy as to paging devices, the device will be confiscated. The building Principal or his/her designee will take appropriate disciplinary actions and immediately notify the Superintendent and the local law enforcement agency.~~

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~~The Superintendent or his/her designee is directed to establish procedures to implement the terms and conditions of this policy.~~

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N.J.S.A. 2C:33-19

~~N.J.A.C. 6A:16-5.8~~

Adopted: 21 October 2002

Revised:

