

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

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

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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 ("ereaders"; 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



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

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 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 ECDR is absolutely prohibited.

All students may not use ECDRs 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 ECDRs 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 ECDRs 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 ECDRs to receive such information.

### Elementary and Middle School Students:

Elementary and Middle School students are expected to have their ECDR 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



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

not permitted to use them at all during the school day unless specifically granted permission by building administration.

### High School Students:

Beginning with the 2025-2026 school year, all students in ninth grade will follow the expectations set forth for Elementary and Middle School students as set forth above. Beginning with the 2026-2027 school year, all ninth and tenth grade students will follow the expectations set forth for Elementary and Middle School students. Other high school students may use their ECRDs 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, during their lunch break, and/or in between classes as long as they do not create a distraction, disruption or otherwise interfere with the educational environment. Use of ECRDPs, 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 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



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

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.

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

Adopted: 21 October 2002

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