

## **Students**

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### **Cell Phones and Electronic Devices on Campus**

#### Possession and Use of Personal Electronic Devices on School Grounds

Students may possess or use personal electronic devices, including cell phones, on school campus provided that such devices do not disrupt the educational program or school activity and are not used for illegal or unethical activities such as cheating on assignments or tests.

Electronic devices shall be turned off and kept out of sight during class time or at any other time as directed by a school district employee, except where deemed medically necessary or when otherwise permitted by the teacher or administration. No student shall be prevented from using his/her cell phone in case of an emergency, except where that use inhibits the ability of school district employees to effectively communicate instructions for student safety.

No student shall use an electronic device with camera, video, or voice recording function in a way or under circumstances which infringe the legal privacy rights of other students.

#### Discipline for Violations

Violations of this policy shall be subject to progressive discipline. If a student's use of an electronic device violates this policy, a school district employee on the first offense may direct the student to turn off the device or reprimand the student. On subsequent offenses, the employee may confiscate the device and return it to the student at the end of the class period, school day, or activity. A student's right to carry such devices may be revoked for subsequent offenses except where deemed medically necessary. Students may be subject to other disciplinary measures when their use of an electronic device violates independent school rules, such as prohibitions on cheating.

#### Searches of Personal Electronic Devices

Pursuant to the California Electronic Communication Privacy Act, school administrators may only search an individual student's cell phone or electronic device with the consent of the student, pursuant to a search warrant issued by a magistrate judge based on probable cause to believe the phone contains evidence of criminal activity, or pursuant to a good faith belief that an emergency involving threat of death or serious physical injury exists that requires an immediate search of the device.

In conducting any search of a student's personal device pursuant to a search warrant, school staff shall: (1) document the individualized facts that supported the finding of probable cause; (2) notify the student and the student's parent or legal guardian of the particular suspected criminal activity and the type of data to be searched for as evidence; and (3) provide the student's parent or legal guardian the opportunity to be present during the search. In conducting any search of a student's personal device pursuant to a good faith belief that an emergency exists, school staff shall, no later than 72 hours after accessing the device, provide to the student, the student's parent or legal guardian, and the principal's office: (1) a written description of the emergency, including the facts that supported the good faith belief that an emergency required an immediate search of the device; and (2) a description of the search conducted, including a summary of the data accessed and/or seized when the device was searched.

In the course of conducting a search, a school official shall not copy, share, or in any way transmit any information from a student's cell phone or electronic device, or modify or delete any information. The scope of any search shall not extend beyond that to which the student consents, that which is necessary to produce evidence of criminal activity, or that which is required in an emergency.

Log of Searches

The school principal’s office shall maintain a personal device access log in which the following information shall be recorded for each search of a student’s personal device by school staff or other public employees: the name of the school official or other public employee accessing the device; the business address and other contact information for the person accessing the device; the date of access; the data or functions accessed; and the basis for the search. The log shall include documentation of searches undertaken in emergencies. Personal device access logs maintained pursuant to this provision shall not contain any personally identifiable student data, shall be made available to members of the public upon request, and shall be public records subject to the public records law.

Confiscated electronic devices, as well as information obtained from the electronic device through a search under this policy, will only be turned over to law enforcement when there is a real and immediate physical threat to student, teacher, or public safety or law enforcement requests the device or information pursuant to a warrant.

Personal Responsibility & Storage of Confiscated Devices

Students are responsible for cell phones or electronic devices they bring to school. The district shall not be responsible for loss, theft, or destruction of any such device brought onto school property, except that it shall be the responsibility of the school to ensure the safekeeping of any confiscated devices. The Superintendent shall create and disseminate a policy regarding the return of confiscated electronics. Confiscated electronic devices shall be stored by school district employees in a secure manner in a centralized location. Confiscated electronic devices must be made available to the student at the end of the school day.

Students and their parents shall be notified of the above policy at the beginning of every school year. Students and their parents who transfer to the district in the middle of a school year shall be notified of the above policy within one week of the students’ enrollment.

Within 3 months of this policy’s adoption, [District] shall ensure that it is distributed to all school staff and that training is provided at least once per year. New or temporary staff who arrive during the middle of the school year shall be notified and trained on the policy within one week of their hire or assignment.

**Policy**

**Adopted:** \_\_\_\_\_

**Revised:** \_\_\_\_\_

**[DISTRICT]**

**[LOCATION]**