

1 The Transylvania County Board of Education (the “board”) recognizes that cellular phones and
2 other wireless communication devices have become an important tool through which parents
3 communicate with their children. Therefore, students are permitted to possess such devices on
4 school property so long as the devices are not activated, used, displayed, or visible during the
5 instructional day time or as otherwise directed by school rules or school personnel. Wireless
6 communication devices include, but are not limited to, cellular phones, electronic devices with
7 internet capability, paging devices, two-way radios, and similar devices.

8 9 **A. AUTHORIZED USE**

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11 Administrators may authorize individual students to use wireless communication devices
12 for personal purposes when there is a reasonable need for such communication. Teachers
13 and administrators may authorize individual students to use the devices for instructional
14 purposes, provided that they supervise the students during such use.

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16 Although use generally is permitted before and after school, use of cellular phones and
17 other wireless communication devices may be prohibited on school buses when noise
18 from such devices interferes with the safe operation of the buses. In addition, elementary
19 and middle school students who participate in after-school programs are prohibited from
20 using wireless communication devices during such programs.

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22 Elementary and middle school students are not allowed to possess a wireless
23 communication device at school during the instructional day unless in the opinion of the
24 principal a special circumstance exists that warrants approval. The principal will make
25 this decision on a case by case basis and will provide instructions to the student on how
26 the device is to be secured. The device should not be visible or in use at any time during
27 the instructional day.

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29 High school students may possess a wireless communication device as long as it is
30 secured during instructional time. The device may only be visible and/or used during
31 non-instructional periods at the discretion of the principal. An example of a non-
32 instructional time includes lunch periods (in designated areas such as the cafeteria and
33 eating spaces) and before and after the instructional day. The device should not be visible
34 and should remain secured during class changes during the instructional day. At the
35 discretion of the principal, wireless devices may be used in distance learning classes
36 and/or any class that the teacher is not physically located at the school site and/or as
37 necessary for proper communication between student and teacher.

38 39 **B. CONSEQUENCES FOR UNAUTHORIZED USE**

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41 School employees may immediately confiscate any wireless communication devices that
42 are on, used, displayed, or visible in violation of this policy. Absent compelling and
43 unusual circumstances, confiscated wireless communication devices will be returned only
44 to the student’s parent.

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46 The disciplinary consequences for violations of this policy will be consistent with Section
47 D of policy 4300, Student Behavior Policies. The superintendent or designee shall list in
48 the Code of Student Conduct the specific range of consequences that may be imposed on
49 a student for violations of this policy.

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51 The following factors should be considered when determining appropriate consequences:
52 whether the wireless communication device was used (1) to reproduce images of tests,
53 obtain unauthorized access to school information, or assist students in any aspect of their
54 instructional program in a manner that violates any school board policy, administrative
55 regulation, or school rule; (2) to bully or harass other students; (3) to send illicit text
56 messages; (4) to take and/or send illicit photographs; or (5) in any other manner that
57 would make more severe disciplinary consequences appropriate.

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59 **C. SEARCH OF WIRELESS COMMUNICATION DEVICES**

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61 In accordance with policy 4342, Student Searches, a student's wireless communication
62 device and its contents, including, but not limited to, text messages and digital photos,
63 may be searched whenever a school official has reason to believe the search will provide
64 evidence that the student has violated or is violating a law, board policy, the Code of
65 Student Conduct, or a school rule. The scope of such searches must be reasonably related
66 to the objectives of the search and not excessively intrusive in light of the nature of the
67 suspected infraction.

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69 **D. LIABILITY**

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71 Students are personally and solely responsible for the security of their wireless
72 communication devices. The school system is not responsible for the theft, loss, or
73 damage of a cellular phone or other personal wireless communication device.

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75 Legal References: G.S. 115C-36, -390.2

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77 Cross References: Student Behavior Policies (policy 4300), Disruptive Behavior (policy 4315),
78 Student Searches (policy 4342)

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80 Adopted:
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