

Policy Code: 4318 Use of Wireless Communication Devices

Formatted: Numbering: Continuous

The Transylvania County Board of Education (the "board") recognizes that cellular phones and other wireless communication devices have become an important tool through which parents communicate with their children. Therefore, students are permitted to possess such devices on school property so long as the devices are not activated, used, displayed, or visible during instructional time in accordance with this policy and as otherwise directed by school rules or school personnel. Wireless communication devices include, but are not limited to, cellular phones, electronic devices with internet capability, paging devices, two-way radios, and similar devices. Internet-enabled smartwatches are considered wireless communication devices when used for messaging or accessing the internet.

A. Authorized Use

Elementary and middle school students are not permitted to ~~possess~~ have wireless communication devices activated, in use, displayed, or visible at school during the instructional day unless authorized by the principal due to special circumstances. The principal may grant such approval on a case by case basis and, if necessary, will provide the student with instructions on how the device must be secured at school. The device should not be used or otherwise visible at any time during the instructional day.

Formatted: Strikethrough

High school students are permitted to possess wireless communication devices at school as long as the devices are secured during instructional time. Such devices may be used or otherwise visible only during non-instructional time and at the discretion of the principal. For purposes of this requirement, non-instructional time includes lunch periods (in designated areas, such as the cafeteria and other eating spaces) and before and after the instructional day; however, the devices should remain secured and should not be used or otherwise visible during class changes. At the discretion of the principal, wireless communication devices may be used in a distance education class or in a class for which the teacher is not physically located at the school, provided that any communication between a student and a teacher occurs in accordance with policy 4040/7310, Staff-Student Relations, and policy 7335, Employee Use of Social Media, as applicable.

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

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

programs are prohibited from using wireless communication devices during such programs.

B. Consequences for Unauthorized Use

School employees may immediately confiscate any wireless communication devices that are on, used, displayed, or visible in violation of this policy. Absent compelling and unusual circumstances, confiscated wireless communication devices will be returned only to the student's parent. The principal has the discretion to return devices to the student based on compelling and unusual circumstances.

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

The following factors should be considered when determining appropriate consequences: whether the wireless communication device was used (1) to reproduce images of tests, obtain unauthorized access to school information, or assist students in any aspect of their instructional program in a manner that violates any school board policy, administrative regulation, or school rule; (2) to bully or harass other students; (3) to send illicit text messages; (4) to take and/or send illicit photographs; or (5) in any other manner that would make more severe disciplinary consequences appropriate. Failure to comply with a request to turn over such devices will be disciplined as a separate or additional violation of Policy 4315.

C. Search of Wireless Communication Devices

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

D. Liability

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

Legal References: [G.S. 115C-36](#), [-390.2](#)

77 Cross References: Staff-Student Relations (policy 4040/7310), Student Behavior
78 Policies (policy 4300), Disruptive Behavior (policy 4315), Student Searches (policy
79 4342), Employee Use of Social Media (policy 7335)

80 Adopted: February 19, 2018

81 **Transylvania County Schools**