

REMOTELY ACTIVATING COMMUNICATION DEVICES - PAGERS & CELLULAR

5516 REMOTELY ACTIVATING COMMUNICATION DEVICES - PAGERS &
CELLULAR TELEPHONES (M)

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

“Electronic communication and recording device (ECRD)” includes any device with the capability to audio or video record or is capable of receiving or transmitting any type of communication between persons. An ECRD includes, but is not limited to, cameras, cellular and wireless telephones, pagers/beepers, laptop computers, electronic readers, personal digital assistants (PDAs), two-way radios, portable fax machines, video broadcasting devices, and any other device that allows a person to record and/or transmit, on either a real time or delayed basis, sound, video or still images, text, or other information.

A pupil's personal ECRD may **only** be used on school grounds **in an emergency situation** or with the permission of a school staff member supervising the pupil in a curricular or school-sponsored co-curricular activity. Any audio and/or video recording by a pupil using their personal ECRD with permission of a school staff member while participating in a curricular or school-sponsored activity where other pupils or staff members are present shall require the permission for such recording from any other pupil and their parents or guardians and/or staff members whose voice or image is to be recorded. This Policy is not intended to prohibit appropriate use of electronic devices for authorized or approved official curricular or school-sponsored co-curricular activities such as yearbook



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photographs, staff member/teacher-directed and approved activities, classroom presentations, and athletic events and drama production filming. A pupil authorized or approved to use an ECRD may not use an ECRD to access internet sites or view information or internet-based material that is inappropriate or would be blocked from pupil access by the school district's acceptable use of computers and networks policy. Nothing in this Policy is intended to prevent a pupil from using their personal ECRD and recording school-sponsored co-curricular activities as a non-participant when the activity is open to the general public.

For the purposes of this policy, "school grounds" means and includes land, portions of land, structures, buildings, and structures that support these buildings, including, but not limited to, administrative buildings, kitchens, maintenance shops, and garages. "School grounds" also includes other facilities as defined in N.J.A.C. 6A:26-1.2, playgrounds, and other recreational places owned by the local municipalities, private entities, or other individuals during those times when the school district has exclusive use of a portion of such land.

An ECRD used in violation of this Policy will be confiscated by a school staff member or Principal or designee and the pupil will be subject to appropriate disciplinary action for violation(s) of one more of the following:

1. Pupils are permitted to bring cell phones into the school buildings. Pupils and parent(s) or legal guardian(s) assume all responsibility for such devices. The school district shall not be responsible for theft, loss or damage of these devices brought to school. Cell phones may be used during non-instructional times throughout the course of the school day; however, students are not permitted to make cell phone calls in between classes. Cell phones may also be used for instructional purposes under the supervision of a teacher.
2. At the start of of any class period and/or instructional program, all such devices must be shut off and put away unless permission specifying otherwise has been granted.
3. Pupils who refuse to comply with the requirement of this policy will have their cell phone confiscated and returned only to the parent(s) or legal guardian(s). Any violations will result in disciplinary action.



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4. By not handing over a cell phone when requested, students are subject to additional discipline for insubordination and/or uncooperative behavior.

A pupil shall not **knowingly** bring or possess any remotely activated paging device on any school grounds, including on a school bus or at a school-sponsored function, at any time and regardless of whether school is in session or other persons are present without the express written permission of the Principal. The pupil must submit a written request and establish to the satisfaction of the Principal a reasonable basis for the possession of the device. The written request must include the purpose for the pupil possessing and/or bringing the device on school property and the date or dates in which the pupil requests to possess and/or bring the device on school property. The written request must also include the date in which the pupil will no longer need to bring and/or possess the device on school property.

The Principal, upon reviewing the request from the pupil, will make a determination. The determination will be in writing and if approved, written permission for the pupil to bring and/or possess a remotely activating paging device will be provided to the pupil. Permission will only be provided for by the principal.

The pupil must submit a new request if the time in which permission is given to bring and/or possess a device expires. The pupil that is granted permission to possess and/or bring the device must be in the possession of the device at all times. The Principal or designee shall immediately notify the Superintendent of Schools and the appropriate criminal justice or juvenile justice agency if a pupil brings or possesses a remotely activated paging device in violation of N.J.A.C. 6A:16-5.8 and this Policy.

A pupil who is an active member in good standing of a volunteer fire company, first aid, ambulance or rescue squad may bring or possess a remotely activated paging device on school property only if the pupil is required to respond to an emergency and the pupil provides a statement to the 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 pupil at all times and that the pupil is required to respond to an emergency.



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The Principal or designee will confiscate the remotely activated paging device, take appropriate disciplinary action and shall immediately notify the Superintendent of Schools and the appropriate criminal justice or juvenile justice agency if a pupil brings or possesses a remotely activated paging device in violation of **N.J.S.A. 2C:33-19** ~~N.J.A.C. 6A:16-5.8~~ and this Policy.

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

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

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