

**MERCER COUNTY SCHOOLS**  
**Policy Comment(s) / Suggestion(s)**

**Policy: G-38**  
**Use of Cell Phones and Other Electronic Devices on School Property**

**Individual / Organization:** \_\_\_\_\_

**Title:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Comment(s) / Suggestion(s)**

**Please write your comments below in the sections that apply to the policy.**

**Use additional paper if necessary.**

**1.0 Purpose**

**Agree (reason)**

**Disagree (reason)**

New policy proposal to update the existing regulations and standards governing student cell phone possession and usage.		
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**2.0 Definitions**

**Agree (reason)**

**Disagree (reason)**

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**3.0 Procedures**

**Agree (reason)**

**Disagree (reason)**

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**General Comments**

**Agree (reason)**

**Disagree (reason)**

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Return comments **NO LATER THAN October 22, 2018** to:

Dr. Kristal Filipek - Director, Human Resources

Mercer County Schools

1403 Honaker Avenue

Princeton, WV 24740

## USE OF CELL PHONES AND OTHER ELECTRONIC DEVICES ON SCHOOL PROPERTY

### 1.0 Purpose

With the changing demands in society, Mercer County Schools recognizes the need to establish guidelines for the use of cell phones and other electronic devices for instructional purposes while on school property. In effort to ensure safety, to provide uninterrupted instruction, and to decrease bullying and harassment, Mercer County Board of Education seeks to establish guidelines for staff and for student cell phone and other electronic device use during the day while at work or school. Accordingly, this policy provides regulations for use of cell phones and other electronic devices.

### 2.0 Definitions

- 2.1 Bullying, Harassment, Intimidation**– Any intentional gesture or any intentional electronic, written, verbal, or physical act, communication, transmission or threat that (a) A reasonable person under the circumstances should know the effect of harming a student, damaging a student’s property, placing a student in reasonable fear of harm to his or her person, and/or placing or placing a student in reasonable fear of damage to his or her property; (b) Is sufficiently severe, persistent, or pervasive that it creates an intimidating, threatening, or emotional abusive education environment for a student; (c) Disrupts or interferes with the orderly operation of the school; (d) An electronic act, communication, transmission or threat includes but is not limited to one which is administered via telephone, wireless phone, computer, pager, or any electronic or wireless device whatsoever, and includes, but is not limited to transmission of any image or voice, email or text message using any such device.
- 2.2 Electronic Devices** – includes, but is not limited to, cell phones, i-pads, tablets, personal laptop computers, any smart devices used for communication, and pagers.
- 2.3 Instructional Day** - Time allocated within the school day for the teaching and mastery of CSOs. The instructional day does not include lunch, class change, or recess.
- 2.4 Misuse** – Includes but is not restricted to inappropriate language, harassment, intimidation, bullying, threats, or continued use of the device when instructed otherwise by school staff.
- 2.5 School** – A school building, school ground, and other school property including automobile or other vehicle owned or operated by the Mercer County Board of Education, the West Virginia Department of Education, or the State Board of Education.

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- 2.6 Staff** – Any person employed full/part time or on contract with Mercer County Public Schools, any West Virginia county board of education, State Department of Education or State Board of Education.
- 2.7 Student** – Any child, youth, or adult who is enrolled in any Pre-K – 12 instructional program or activity conducted under board authorization and within the facilities of, or in connection with, any program under public school direction.

**3.0 Procedures**

- 3.1** All students may use a cell phone connected to an earbud and microphone for talking and texting before or after school while on school property. High school students, at the discretion of the building administrator) may also use a cell phone during lunch. Use of a cell phone or other electronic device during class change is prohibited.
- 3.2** During the instructional day (after the scheduled start time and before the scheduled dismissal time) electronic devices, including cell phones, shall be stored and silenced, including but not limited to, a locker, pocket, and/or purse.
- 3.3** With permission from the school administrator, teachers may incorporate student use of electronic devices into the curriculum for the purpose of instruction and learning.
- 3.4** Cell phones shall not be visible or used on the school bus unless permission is secured from the bus operator.
- 3.5** Any electronic device that rings or vibrates at a prohibited time or location is considered *in use* and may be considered a Level I or Level II violation of Mercer County Board of Education Policy J-18. A device *in use* is subject to confiscation by school staff.
- 3.6** Unless requested by school staff, cell phone communication, including text messages and other cell phone functions or features, shall not be used during a school-wide emergency.
- 3.7** Student use of a cellphone or electronic device features including, but not limited to, cameras, audio recordings, video recordings, image producing features as well as text messaging for academic dishonesty, harassment, intimidation, bullying, threats or other inappropriate means is not allowed. Misuse of a cellphone or electronic device shall result in a Level III or Level IV infraction of Mercer County Board of Education Policy J-18.

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- 3.8 Confiscated electronic devices including cell phones will be returned only to the parent/guardian of the student from which the device was confiscated.

**4.0 Administration**

- 4.1 Use of a cell phone for bullying, harassment and/or intimidation purposes shall automatically be considered a Level III offense, as outlined in Mercer County Board of Education Policy J-18, and may be considered cause for student suspension and/or expulsion.
- 4.2 Repeated offenses of this cell phone policy may result in the student offender being forbidden for possessing any electronic device on school property as outlined in Mercer County Board of Education Policy J-18.
- 4.3 Any student who violates this policy in combination with another disciplinary offense as described in Mercer County Board of Education Policy J-18 and West Virginia Board of Education Policy 4373, shall be in violation of this policy as well as J-18. Such violations may show cause for a Level III or Level IV offense.
- 4.4 Mercer County Schools are not responsible for lost or stolen electronic devices as defined in Section 2.2 of this policy.
- 4.5 Electronic devices worn by the student and used for medical purposes are not prohibited by this policy. All devices worn by student for medical purposes require a signed statement from the student's licensed physician prescribing its use.
- 4.6 Student and/or staff use of a cell phone or other electronic device for the purposes of accessing and posting to social media outlets, including but not limited to, Facebook, Instagram, Snapchat, Twitter, YouTube, Google+, Pinterest, Tumblr, Whatsapp, and LinkedIn is prohibited while at school or work.
- 4.7 Use of cell phones and other electronic devices shall adhere to all provisions set forth in *Expected Behaviors in Safe and Supportive Schools* (Mercer County Board of Education Policy J-18 and West Virginia Board of Education Policy 4373). Violations of this policy shall result in the following: (a) Level I violation – Confiscate cell phone with return only to parent/guardian of student; (b) Level II violation – Banning student from having cell phone or electronic device while at school; and/or (c) Level III or Level IV violation – student suspension.

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**5.0 Severability**

- 5.1** If any portion of this policy or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this policy.

Authority: W.Va. Constitution, Article XII, §2, and W.Va. Code §§~~16-9A-4, 16-9A-9, 17A-1-1, 18-2-5, 18-2-5a, 18-2-7b, 18-2-9, 18-2-33, 18-2C-1 et seq., 18-5-1, 18-5-13, 18-16-1, 18A-1-1, 18A-5-1, 18A-5-1a, 60A-1-101, 60A-7-11a, 61-2-15, 61-7-2, and 61-7-11a.~~

Date(s):