

# MODEL

## Students and Telecommunication Devices

### Definitions:

- A. *Sexting* means sending, forwarding, displaying, retaining, storing or posting sexually explicit, lewd, indecent or pornographic photographs, images or messages by or on a cell phone, computer or other electronic means during school hours or school activities on or off campus; while on school district property, during any recess, lunch or leave periods on or off school district property; or beyond the hours of school operation if the behavior detrimentally affects the personal safety or well-being of school-related individuals, the governance, climate or efficient operation of the school; or the educational process or experience.
- B. *Disrupting the Learning Environment*: means any intentional gesture, any intentional electronic communication or any intentional written, verbal or physical act or statement initiated, occurring, transmitted or received by a student at school that a reasonable person under the circumstance should know will have the effect of:
  - 1. Insulting, mocking or demeaning a student or group of students causing substantial disruption in, or substantial interference with, the orderly operation of the school; or
  - 2. Creating an intimidating, threatening, hostile or abusive educational environment for a student or group of students through substantially severe, persistent or pervasive behavior. (HIB)
- C. *Third parties* include, but are not limited to coaches, school volunteers, parents or guardians, school visitors, service contractors or others engaged in district business or activities that are not directly subject to District control at inter-district and intra-district athletic competitions or other school events.

### Reporting Violations:

Any student, employee, parent or guardian or third party who has knowledge of conduct in violation of this policy or any student who feels he/she has been a victim of sexting, menacing, retaliation or reprisal in violation of this policy shall immediately report the concerns to:

- A. The building principal or his/her designee;
- B. A teacher who will be responsible for notifying the building principal or designee immediately if the matter cannot be adequately addressed by the teacher, or warrants administrative intervention;
- C. A counselor, who is responsible for notifying the building principal or designee immediately if the matter cannot be addressed by the counselor or is sufficiently serious to warrant administrative intervention; or
- D. The superintendent of schools or designee.

### Investigating:

The principal or designee shall be responsible for timely investigating a complaint made under this policy. The investigation, witness statements and evidence shall be documented along with the outcome of the investigation.

In the course of the investigation, administrative staff will not send, receive or unnecessarily view or transmit sexting photographs or any other inappropriate images on either the district's or

their personal electronic devices. The examination or viewing of the evidence/information will be limited to the extent necessary to determine that misconduct occurred.

**Parent or Guardian Notification:**

Parents or guardians of all students identified in the report shall be notified of the investigation and informed of their students' involvement in the incident.

**Discipline:**

Students whose behavior violates this policy will be subject to discipline up to and including expulsion. Law enforcement will also be notified when conduct may violate criminal laws.

In addition to discipline, the district will assist students and/or parents or guardians to resolve concerns and issues prior to the use of the formal criminal complaint process. These interventions may include consultation, counseling, education, mediation and/or other opportunities for problem-solving.

In imposing discipline the administrator will take into consideration the context of the events, all relevant circumstances, and the parties' prior behavior, the nature of the behavior and its potential harm and the emotional and/or physical harm resulting from the reported party's actions. Exceptional misconduct penalties may be imposed, if in the opinion of the administration it is warranted.

**Sexting Offenses - (Moved to Sexual Harassment Policy and Procedure. This will result in HIB referral)**

**First offense:**

- ~~A. Parents or guardians will be notified;~~
- ~~B. The district will file an information report with the police by phone or in writing;~~
- ~~C. The student's phone or electronic device will be confiscated, searched and returned only to a parent or guardian;~~
- ~~D. The student will receive a short-term, out-of-school suspension or an in-school suspension; and~~
- ~~E. The district may impose appropriate interventions.~~

**Second offense:**

- ~~A. Parents or guardians will be notified;~~
- ~~B. Police will be notified;~~
- ~~C. The student's phone or electronic device will be confiscated, searched and returned only to a parent or guardian;~~
- ~~D. The student will receive a long-term suspension; and~~
- ~~E. The student will be ineligible to participate in extracurricular activities.~~

**Third offense:**

- ~~A. Parents or guardians will be notified;~~
- ~~B. Police will be notified;~~

- ~~C. The student's phone or electronic device will be confiscated, searched and returned only to a parent or guardian;~~
- ~~D. The student will be expelled; and~~
- ~~E. The student will be ineligible to participate in extracurricular activities.~~

## **Telecommunication Devices**

Telecommunication devices include, but are not limited to smart watches, earbuds, iPads, tablets, and cellular phones. The consequences will align with the Entiat School District discipline matrix. As per Policy 3245, cell phones, earbuds and other telecommunication devices will not be allowed in classrooms, hallways, commons, gym, restrooms, playground, pockets, notebooks during the school day.

If a student is seen using a telecommunication device without proper authorization, the following discipline will be imposed:

### **CELLPHONE/TELECOMMUNICATION DEVICE VIOLATION:**

#### **First Offense:**

- A. The student's phone or electronic device will be confiscated, taken to the office, and returned at the end of the school day.
- B. The parents or guardians will be notified by the teacher.
- C. The teacher will fill out a behavior referral form, indicating defiance of district policy, that will be given to the office along with the phone or electronic device,.
- D. The student will receive a lunch detention for the violation.

#### **Second Offense:**

- A. The student's phone or electronic device will be confiscated, taken to the office, and returned only to a parent or guardian.
- B. The parents or guardians will be notified by the teacher indicating a second offense has occurred.
- C. The teacher will fill out a behavior referral form that will be given to the office for defiance; the second offense will be converted to Failure to Cooperate.
- D. The student will receive an after-school detention and a behavior contract will be drafted at a parent meeting.

#### **Third Offense:**

- A. The student's phone or electronic device will be confiscated, taken to the office and returned only to a parent or guardian.
- B. The parents or guardians will be notified by the office.

- C. The teacher will fill out a behavior referral form that will be given to the office for defiance; the third offense will be converted to a level 3 – Other III violation.
- D. The student will receive In-School Suspension (ISS) up to 3 days.
- E. The student will be required to check-in/check-out their phones and other electronic devices at the office daily before and after school. This will remain in effect until the end of the school year or until a predetermined time as set by the administration.
- F. If participating in a sport or extracurricular activity, the student may practice, but will be ineligible to participate in extracurricular event on any day they are in ISS.

#### **Fourth Offense**

- A. The student's phone or electronic device will be confiscated, taken to the office and returned only to a parent or guardian.
- B. The parents or guardians will be notified by the office.
- C. The teacher will fill out a behavior referral form that will be given to the office for defiance; the fourth offense will be converted to a level 4 – Other IV violation.
- D. The student will transition to an online alternative learning program with the school district.
- E. The student will be ineligible to compete in extracurricular activities as per the Athletic/Activities Code.