



Book: MCCSC Policy Manual
Section: 5000 - STUDENTS
Title: WIRELESS COMMUNICATION DEVICES
Code: 5136
Status: Active
Legal: SEA 78
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Indiana Senate Enrolled Act no. ~~78185~~, prohibits the use of wireless communication devices during ~~instructional time~~ the school day.

A student may bring but is prohibited from possessing and/or using a personal, non-school issued/approved wireless communication device.

SEA 78 defines a “wireless communication device” as any portable wireless device that has the capability to provide voice, messaging, or other data communication between two or more parties, including a cellular telephone, tablet computer, laptop computer, or gaming device and and/or smartwatches or any similar device that is connected to a cell telephone, a cell tower, or the Internet. SEA 78 defines “school day ~~Instructional time~~” is defined as the entirety of the time a student is present on school property for a student instructional day (as defined in IC 20-30-2-2). ~~time in which students are participating in an approved course, a curriculum, or an educationally related activity under the direction of a teacher, including a reasonable amount of passing time between classes. Instructional time does not include lunch or recess.~~

During the school day the wireless communication devices must be stored away in the administration identified and approved building location, powered off, and inaccessible to students.

- This policy is not violated in the following circumstances: ~~As specifically permitted by a teacher for education purposes. Such permission may be given for each episode of use or as an ongoing grant of permission for regularly occurring use.~~
- In the event of an emergency. An emergency for this purpose includes the use of a ~~wireless communication device during instructional time to make an otherwise lawful alert or call for assistance in response to a condition or situation causing an immediate risk to health, life, or property . It does not include the use of a wireless communication device in an unlawful act, nor does it include the use of a wireless communication device in a manner that impairs, obstructs, or disrupts emergency response or assistance by the Corporation, health professionals, government officials or other authorized persons.~~
- To manage a student’s health care. Management of health care for this purpose includes action that cannot be reasonably conducted during noninstructional time ~~facilitating the maintenance, diagnosis, or treatment an individual’s physical or mental condition. The Corporation may require parent permission for unemancipated minors~~



~~and medical or other documentation of the necessity of the use to determine whether such use fits into this exception.~~

~~— As permitted by the student's Individualized Education Program (IEP) or Section 504 Plan.~~

- ~~a) when the student has been given permission from a teacher to use a school-provided wireless device for educational purposes during the school day;~~
- ~~b) the student is authorized to use the wireless device at an appropriate time during an emergency;~~
- ~~c) the student's use of the wireless device is to manage the student's medical condition as documented by and pursuant to an order of a licensed health care provider;~~
- ~~d) the use by the student of the wireless device is part of the student's Individual Education Plan (IEP) or 504 Plan;~~
- ~~e) the use of the wireless device by the student is necessary for language translation when no school-managed device is available;~~
- ~~f) the student uses an unobtrusive audio recording device for notetaking or personal learning assistance as long as the device captures only spoken word audio, does not capture, store, or transmit images or video, is visible to the teacher when in use, is provided for inspection by school officials, and is used in a manner consistent with recording audio provisions of state and federal laws. A recording made by such a device will not be used for a disciplinary, evaluative, or supervisory purpose against a student or employee.~~

~~SEA 185 defines a "Wireless communication device" as any portable wireless device that has the capability to provide voice, messaging, or other data communication between two or more parties, including a cellular telephone, tablet computer, laptop computer, or gaming device and "Instructional time" as time in which students are participating in an approved course, a curriculum, or an educationally related activity under the direction of a teacher, including a reasonable amount of passing time between classes. Instructional time does not include lunch or recess.~~

~~Pursuant to SEA 185, students enrolled in the Monroe County Community School Corporation are prohibited from using wireless communication devices during instructional time except in the following circumstances:~~

- ~~1) — As specifically permitted by a teacher for education purposes. Such permission may be given for each episode of use or as an ongoing grant of permission for regularly occurring use.~~
- ~~2) — In the event of an emergency. An emergency for this purpose includes the use of a wireless communication device during instructional time to make an otherwise lawful alert or call for assistance in response to a condition or situation causing an immediate risk to health, life, or property. It does not include the use of a wireless communication device in an unlawful act, nor does it include the use of a wireless communication device in a manner that impairs, obstructs, or disrupts emergency response or assistance by the Corporation, health professionals, government officials or other authorized persons.~~
- ~~3) — To manage a student's health care. Management of health care for this purpose includes action that cannot be reasonably conducted during noninstructional time facilitating~~



~~the maintenance, diagnosis, or treatment an individual's physical or mental condition. The Corporation may require parent permission for unemancipated minors and medical or other documentation of the necessity of the use to determine whether such use fits into this exception.~~

~~4) As permitted by the student's Individualized Education Program (IEP) or Section 504 Plan.~~

Students are permitted to use wireless communication devices before and after school, ~~and any additional non-instructional time that has been approved by the building principal, as long as they do not create a distraction, disruption or otherwise interfere with the educational environment.~~ In addition, they may use wireless devices during after school activities (e.g. extra-curricular activities), and at school-related functions, ~~and when using to submit for class projects (i.e. newspaper, yearbook).~~ Use of wireless communication devices, except those approved, at any other time is prohibited and they must be powered completely off and stored out of sight.

Students may not use wireless communication devices on school property or at a school-sponsored activity to access and/or view Internet websites that are otherwise blocked to students at school.

Students may use Wireless communication devices while riding to and from school on a school bus or other vehicle provided by the School Board or on a school bus or Board-provided vehicle during school-sponsored activities, at the discretion of the bus driver, classroom teacher, sponsor/advisor/coach. Distracting behavior that creates an unsafe environment will not be tolerated.

Students are prohibited from using Wireless communication devices to capture, record or transmit the words (i.e. audio) and/or images (i.e., pictures/video) of any student, staff member or other person in the school or while attending a school-related activity, without express prior notice and explicit consent for the capture, recording or transmission of such words or images. Using a WCD to take or transmit audio and/or pictures/video of an individual without his/her consent is considered an invasion of privacy and is not permitted, unless authorized by the building principal. Students who violate this provision and/or use a WCD to violate the privacy rights of another person may have their WCD confiscated and held until the end of the school year.

Wireless communication devices, including but not limited to those with cameras, may not be possessed, activated or utilized at any time in any school situation where a reasonable expectation of personal privacy exists. These locations and circumstances include but are not limited to locker rooms, shower facilities, restrooms, classrooms, and any other areas where students or others may change clothes or be in any stage or degree of disrobing or changing clothes. The building principal has authority to make determinations as to other specific locations and situations where possession of a WCD is absolutely prohibited.

No expectation of confidentiality will exist in the use of Wireless communication devices on school premises/property.



Students are prohibited from using a WCD in any way that might reasonably create in the mind of another person an impression of being threatened, humiliated, harassed, embarrassed or intimidated. See Policy 5517.01 - Bullying and Other Forms of Aggressive Behavior.

Students are also prohibited from using a WCD to capture and/or transmit test information or any other information in a manner constituting fraud, theft, cheating, or academic dishonesty. Likewise, students are prohibited from using their Wireless communication devices to receive such information.

Possession of a WCD by a student is a privilege that may be forfeited by any student who fails to abide by the terms of this policy, or otherwise engages in misuse of this privilege.

Violations of this policy may result in disciplinary action and/or confiscation of the WCD. The building principal may also refer the matter to law enforcement if the violation involves an illegal activity (e.g. child pornography). Discipline will be imposed on an escalating scale ranging from a warning to an expulsion based on the number of previous violations and/or the nature of or circumstances surrounding a particular violation. If the WCD is confiscated, it will be released/returned to the student's parent/guardian after the student complies with any other disciplinary consequences that are imposed. Any WCD confiscated by Corporation staff will be marked in a removable manner with the student's name and held in a secure location in the building's central office until it is retrieved by the parent/guardian. Wireless communication devices in Corporation custody will not be searched or otherwise tampered with unless school officials reasonably suspect that the search is required to discover evidence of a violation of the law or other school rules. Any search will be conducted in accordance with Policy 5771 - Search and Seizure. If multiple offenses occur, a student may lose his/her privilege to bring a WCD to school for a designated length of time or on a permanent basis.

A person who discovers a student in possession of or using a WCD in violation of this policy is required to report the violation to the building principal.

Students are personally and solely responsible for the care and security of their [w](#)ireless communication devices. The School Board assumes no responsibility for theft, loss, damage, or vandalism to [w](#)ireless communication devices brought onto its property, or the unauthorized use of such devices.

~~While students may use school phones to contact Parents/Guardians during the school day, Parents/Guardians are advised that the best way to get in touch with their child during the school day is by calling the school office.~~