

309: Student Use of Personal Electronic Devices

Purpose

The purpose of this policy is to set forth expectations for appropriate use of existing and emerging technologies which students may possess, including but not limited to cellular phones and other personal electronic devices capable of recording and/or transmitting data or images.

General Statement of Policy

The Estancia Municipal School District (EMSD) holds high expectations for student behavior, academic integrity and responsible use of technology. Students who possess and/or use technology devices at school, on school buses or school-sponsored events shall demonstrate the greatest respect for the educational environment and the rights and privacy of all individuals within the school community. State laws provide employees and students with certain privacy rights. Students' actions during the school day, in class and at school, are considered private under state and federal laws and shall not be recorded or shared without consent of the individual.

Standards for Responsible Use at School, on Buses or at School Activities

Respect for the Educational Environment:

1. EMSD provides appropriate technology devices for learning when specific devices are required.
2. **Beginning with the 2025 – 2026 school year**, EMSD will not allow personal electronic devices for personal use during the school day. The "school day" shall mean first bell to last bell. Students shall place their personal electronic device/s in a secure pouch daily. Devices may be unlocked for emergencies as needed. For purposes of this policy, "wireless electronic devices" means a portable electronic device capable of transmitting voice, text or data, including cellular phone, smartphone or smartwatch; personal tablet computer; personal laptop computer; or gaming device. Phones *will* be allowed on buses for both routes and activity trips.
3. Staff may permit a student to use a wireless communication device in the event of an emergency or to manage the student's health care.
4. Staff may permit a student to use a wireless communication device for accessibility purposes (mindful of the student's right to confidentiality), including text-to-speech, speech-to-text or assistive technologies that aid in communication, navigation or learning and in accordance with a student's Individualized Education Plan and/or 504 Plan.

Violations of this Policy

Students caught with a personal electronic device during the school day while on campus will receive discipline as follows:

- a. 1st Offense: warning; secure device in pouch. If a student does not have their pouch, administration will hold the device/s in the office in a secure location, until picked up by a

parent or guardian at the end of the school day. This will be tracked in a log. Students may be reminded daily to secure their devices without it being considered a 2nd Offense

- b. 2nd Offense: This will be triggered when a student does not have their pouch for a second time, or is caught with separate devices outside of their pouch for a second time. This will result in the device/s in the office in a secure location, until picked up by a parent or guardian at the end of the school day. This will be tracked in a log. The student will receive one day of lunch detention.
- c. 3rd Offense: In addition to the device being kept for a parent to pick up, the student will receive one day of ISS. A parent conference will be held. A plan/contract will be developed which will address any further issues of non-compliance.
- d. A severe infraction, including but not limited to creating, transmitting, or viewing inappropriate or pornographic material, violating of others' privacy rights, cheating, or harassing or bullying behavior using a technology device, may result in immediate suspension and/or expulsion from school and/or prosecution.

When electronic devices are allowed, students shall not use them in any way that disrupts or distracts from the educational environment or for inappropriate, unethical or illegal purposes, including but not limited to, transmission or viewing of inappropriate or pornographic material, violations of others' privacy rights, cheating, harassing or bullying behavior. Accessing inappropriate material in school, on a school bus, or at a school activity will result in disciplinary action, even if such access is accidental. Parents are encouraged to monitor and/or restrict cellular Internet access for students.

Respect for Privacy Rights:

- 1. Students shall not record, photograph or video other students or school employees on school property, on a school bus or at school-sponsored activities without their knowledge and consent, except for activities considered to be in the public arena (e.g., sporting events, public meetings, academic competitions or public performances). School social events, activities sponsored by student clubs, team building retreats, and activities that take place during the school day are not considered to be in the public arena.
- 2. Students shall not e-mail, text, post to the Internet or social media, or otherwise electronically transmit images of other individuals taken at school without their expressed consent.
- 3. Recording, photographing, or making video of others is strictly prohibited in locker rooms, dressing rooms, health offices and restrooms, where individuals have every expectation of privacy.

Assuring Academic Integrity: Students are advised that the use of any audible transmission through any cellular or electronic device during certain testing events (including but not limited to ACT, Advanced Placement, MSSA, SAT, PSAT, and/or classroom assessments) will result in the student being removed from the room and immediate cancellation and invalidation of the exam.

Compliance with Other District Policies: Use of cellular phones or other personal electronic devices must not violate any other District policies, including those regarding student privacy, copyright, cheating, plagiarism, civility, student code of conduct, electronic technologies acceptable use, or harassment. If a violation occurs involving more than one District policy, consequences for each policy may apply.

Responsibility for Personal Property:

1. Students who choose to bring a personal device to school assume all responsibility and risks relating to the possession and use of personal devices, including Internet access and data transmission.
2. Parents are advised that cellular devices are not subject to the District's Internet filters and responsibility for ensuring appropriate access to the Internet rests with the individual student and family.
3. District employees will not be responsible for storing, safeguarding or troubleshooting any student's personal electronic devices, whether on or off campus.
4. Neither the District nor its employees will be responsible or liable for the theft, loss, data loss, damage, destruction, misuse, or vandalism of any student personal electronic device brought into the District or on school property or on school buses. Any time a cell phone is secured by a staff member for any reason, the phone will be locked in a secure location.
5. Students are responsible for their assigned Yonder pouch. Should their pouch be lost or damaged, they will become responsible for its replacement.

Dissemination of Policy

This policy shall be included in the Student/Parent Handbook, posted to the District website and otherwise distributed upon request.

LEGAL REF.:

22-5-4.3 NMSA

22-2-21 NMSA

28-1-2 NMSA et seq.

6.12.7.8 NMAC

Revised and Adopted: May 5, 2025
Adopted: November 13, 2023
First Draft Review: October 16, 2023