

STUDENT POSSESSION AND USE OF PERSONAL ELECTRONIC DEVICES

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Electronic Devices in School Settings: General Expectations for Students

At all times when students are attending school, participating in any school-sponsored activity, or otherwise subject to the supervisory authority of District officials and school staff, students are responsible for ensuring ensure that their possession, storage, and use of **all** electronic devices and technology-related equipment is appropriate with respect to:

1. **time** (when the device or equipment is being used);
2. **location** (where the device or equipment is being used); and
3. **manner** (how and for what purpose the device or equipment is being used).

This includes using electronic devices in a manner that is consistent with this Policy and with other District/school policies, rules, and directives that address the acceptable use of technology, personal privacy interests, and general student conduct.

If a student engages in misconduct or violates a law or a District or school-level policy, rule, or supervisory directive regarding the possession, storage, and/or use of electronic devices or technology-related equipment, the student is subject to a broad range of potential District-imposed consequences. Specific consequences, including potential disciplinary sanctions, are determined based on the student's specific conduct or violation(s). Consequences may include the temporary confiscation of the device/equipment. District personnel may also refer specific incidents or allegations to law enforcement.

If a student brings a non-required personal electronic device or a related personal electronic item to school or to any District-sponsored or District-supervised activity, the student does so (1) subject to all applicable laws and District policies, and (2) at the student's and any separate device owner's own risk. The District and its agents accept no liability for and, unless required by law, are not responsible for any damage to or any theft, misappropriation, misuse, or other loss of any device or any device data. With a legally-sufficient basis and to the extent otherwise permitted by and consistent with applicable laws, school officials may conduct an appropriately-limited search of specific device content/data.

Use of Restricted Personal Electronic Devices is Generally Prohibited During All Instructional Time

At all grade levels and in all instructional settings, students are prohibited from using **restricted devices** during **instructional time** unless one of the limited exceptions permitted under this Policy applies. The terms "restricted devices" and "instructional time" are defined below.

Limited Exceptions

Students may use **restricted devices** during **instructional time** if one or more of the following limited exceptions applies:

1. **By Direct Permission for an Educational Purpose.** Students may use a restricted device during instructional time if they have received direct permission from school personnel to use the device for an educational purpose. A teacher who is responsible for the student(s) during the relevant instructional time has initial authority to determine appropriate educational purposes.

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2. **Students with Disabilities.** A student may use a restricted device, including a restricted device that functions as assistive technology, as authorized and specified in a student's written individualized education program (IEP) or Section 504 plan.
3. **Students with Health Care Management Needs.** A student may use a restricted device for a health care management reason that has been pre-arranged with an administrator's approval or that is documented in a school-approved individualized health care plan for the student. If not directly involved in the approval process, the principal of the student's school shall be notified of any such arrangements.
4. **Legitimate Emergencies and Threats.** Subject to situation-specific directives that may be given to the student(s) by a District employee, by another adult-in-charge, or by public safety personnel, a student may use a restricted device to directly and appropriately respond to an event or situation that a reasonable student would identify as an actual health or safety emergency or perceive as an imminent threat that poses a serious risk to health or safety.

Use of an electronic device under any of the limited exceptions identified above must always occur in an appropriate location and in an appropriate manner.

Additional Rules Related to Electronic Devices

The administration may establish, communicate, and enforce additional device-related rules that further restrict student's possession, storage, and use of restricted devices and other electronic devices while students are (1) at school, (2) participating in any school-sponsored activity, (3) receiving any District-provided service, or (4) otherwise subject to the supervisory authority of District officials and school staff. Such rules may, for example, prohibit students from bringing specific electronic devices to school or to school activities, subject to appropriate individualized exceptions. In addition, school personnel with responsibility for student supervision may issue and enforce situation-specific directives to students related to device possession, storage, and use.

Additional rules and directives related to students' possession, storage, and use of restricted devices and other electronic devices do **not** need to be uniform across the District or for all grade levels, schools, or programs/activities within a school. However, any additional rules or situation-specific directives relating to the use of **restricted devices** during **instructional time** must be consistent with the general prohibition and limited exceptions established in this Policy (see above).

Definitions of Key Terms

In this Policy:

1. "**Restricted device**" means any of the following electronic devices, except for any District-issued device and also not including any of the devices that are expressly excluded later in this definition:
 - a. A "**wireless communication device**," which means a portable wireless device that has the capability to provide voice, messaging, or other data communication between 2 or more parties.

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- b. An electronic device that is capable of recording or transmitting audio, picture, or video content that originates from the device's location.
- c. An electronic device that is capable of sending data to and receiving data from a data communications network, including through device pairing.
- d. Any electronic device that has a primary purpose of providing entertainment.
- e. Headphones, audio headsets, and ear buds (whether with or without a microphone
- f. Any electronic device that permits a user to store electronic data and retrieve stored data.

Specific examples of restricted personal devices include cell phones/smart phones, tablet computers, laptop computers, smartwatches, smart glasses, smart speakers, gaming devices, portable electronic media players, and action cameras.

The following personal electronic devices are **not** considered "restricted devices" under this Policy, but they may be regulated by separate District/school policies, rules, or directives:

- a. Any school-required electronic device (e.g., a school-required calculator supplied by the student).
 - b. Network communications equipment (such as a home internet router) that is necessary for a student who is engaged in virtual learning to appropriately access and participate in the student's virtual learning program.
2. For students who attend school in-person, "**instructional time**" means the following periods or activities that occur during school hours for students on any school day:
- a. The entirety of all class periods that are scheduled for any structured or unstructured learning experience and for which the student is in attendance.
 - b. Designated periods for students to engage in self-directed study, group work, or make-up work or to seek/receive instructional assistance from school staff.
 - c. Times and settings established for student testing/assessment.
 - d. Student meetings with instructional staff or pupil services personnel.
 - e. School assemblies and guest speaker presentations that have an instructional or educational purpose.
 - f. The portions of a trip away from school grounds that involve instructional/learning activities.

This definition of instructional time does not prohibit a staff member or other adult-in-charge from temporarily excusing a student from an instructional setting to go to a non-instructional, school-supervised setting (for example, the school office) so that the student may engage in necessary or important communication that may involve the use of a restricted device.

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3. For a student who is participating in virtual (online) learning from a remote, non-school location, “**instructional time**” means:
 - a. During any period of scheduled instructional time when the student is required to be engaged with a virtual learning platform or with specific curricular content and is expected to be promptly reachable by school personnel.
 - b. During any periods of time during which the student is participating in a required synchronous instructional/learning activity (for example, an online activity involving simultaneous participation by school personnel and/or by other students).
 - c. During testing/assessment activities.
 - d. During online meetings, check-ins, direct instruction, or educational support activities involving synchronous contact between the student and any teacher or other staff member.

Legal References:

Wisconsin Statutes

[Section 120.12\(29\)](#)

[student use of wireless communication devices; requirements to adopt a policy, notify students of the policy, and report the policy to the DPI]

[Section 120.13\(1\)](#)

[school board power to set conduct rules and discipline students]

[Section 175.22](#)

[locker room privacy and policy requirement]

[Section 995.55](#)

[limitations on school access to personal Internet accounts]

Federal Laws

[20 U.S.C. §1400 et seq.](#)

[Individuals with Disabilities Education Act (IDEA); programs and services for students with disabilities; IDEA regulations at [34 C.F.R. Part 300](#)]

[29 U.S.C. §794 et seq.](#)

[Section 504 of the Rehabilitation Act of 1973, as amended, prohibiting discrimination based on a qualifying disability; implementing regulations affecting students at [34 C.F.R. Part 104](#)]

[15 U.S.C. §6501-6506](#)

[Children's Online Privacy Protection Act (COPPA); implementing regulations at [16 C.F.R. Part 312](#)]

[47 U.S.C. §§254\(h\) and 254\(l\)](#)

[Children's Internet Protection Act (CIPA); implementing regulations at [47 C.F.R. §54.520](#)]

Cross References:

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