



P721R

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March 2, 2015

The School Leadership Team of The Richard H. Hungerford School developed the following Cell Phone Policy on Wednesday 2/25/15 in accordance with Chancellor's Regulation A-413.

The Cell phone policy of the Richard H. Hungerford School requires students who do bring a cell phone and similar electronic devices (blackberry, etc.) to school to keep the cell phone off and in their book bag/knapsack or in a pocket. The phone cannot be used while in school during the instructional, therapy, lunch or after-school programs. If a parent or guardian needs to get a message to their child, please contact the parent coordinator or an administrator.

There are a number of infractions in the NYCDOE Discipline Code that addresses the inappropriate use of electronic devices. Students may not use electronic devices to engage in prohibited behaviors, which include but are not limited to:

GUIDANCE ON CELL PHONES AND OTHER ELECTRONIC DEVICES IN SCHOOLS

1. School-based Policies

By March 2, 2015, each school is responsible for developing its own policy on the use of electronic devices. The school policy must permit students to bring cell phones and other electronic devices to school, describe where and when such devices may be used in school, and be consistent with Chancellor's Regulation A-413. Principals must consult with their School Leadership Teams in developing their policies. Schools must communicate their policies to students, parents and staff in writing, and must post them on their school websites. In addition, an orientation on the school's policy and Regulation A-413 must be conducted for staff and students by April 1, 2015 for the 2014-2015 school year, and in the following school years, within 30 days of adoption of the school-based policy. A model school-based policy is available here.

Discipline

If a student uses an electronic device in violation of a school's policy or to engage in any of the prohibited behaviors set forth in the Discipline Code, the incident must be entered into OORS, investigated, and appropriate guidance interventions and disciplinary actions should be taken.

There are a number of infractions in the Discipline Code that may address inappropriate use of electronic devices. The Discipline Code provides that when "misbehavior involves communication, gestures or expressive behavior, the infraction applies oral, written or electronic communications, including but not limited to texting, emailing and social networking." Accordingly, students may not use electronic devices to engage in prohibited behaviors, which include, but are not limited to:

- Making sexually suggestive comments, innuendos, propositions or similar remarks, or engaging in nonverbal or physical conduct of a sexual nature (Discipline Code Infractions A38/B34);
- Engaging in harassing, intimidating and/or bullying behavior, including using electronic communication to engage in such behavior (cyber-bullying) (Discipline Code A36/B39);



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- Using slurs based upon actual or perceived race, ethnicity, color, national origin, citizenship/immigration status, weight, religion, gender, gender identity, gender expression, sexual orientation or disability (Discipline Code Infractions A23/B23); and
- Posting, distributing, displaying or sharing literature or material containing a threat of violence, injury or harm, or depicting violent actions against or obscene, vulgar or lewd pictures of students or staff (Discipline Code Infractions A32/B35).

The Discipline Code also prohibits students from taking unauthorized photos and audio/video recordings of others (Discipline Code Infractions A21/B19).

Schools may wish to require students/parents to sign a cell phone/electronics contract. Model contracts can be found here.

2. Academic Integrity

The Discipline Code prohibits students from using electronic devices to engage in scholastic dishonesty, which includes but is not limited to cheating, plagiarizing and colluding (Discipline Code Infractions A30/B31).

School based policies prohibit students from turning on or using electronic devices during the administration of any school quiz, test or examination. The only exception is computing devices, which may be used only with the explicit authorization of the school or as required by an IEP or Section 504 Accommodation Plan.

3. Confiscation

If a student uses an electronic device in violation of school policy or in a manner that causes disruption to classroom instruction or school activities or programs, staff will direct the student to comply with school rules and put the device away. If the student refuses to comply with this directive, the staff member will follow established school protocols for requesting assistance, which may include calling an administrator, a dean, or the office. School staff cannot engage in any physical confrontations with students or attempt to confiscate the device from a student who is uncooperative or defiant.

If a student's electronic device is confiscated:

- We will remind the student of the school's policy and the procedures for retrieving the item.
- We will call the parents/guardians of the student.
- Store the electronic device in a secure location (e.g., locked cabinet, closet or safe) in a manner that ensures that the device can be returned at the end of the day.
- File and OORS report.
- Notify NYPD if possible criminal behavior is involved.
- Refrain from going through pictures, documents, phone numbers or texts on the electronic device.

Inappropriate Content

If an electronic device is confiscated **and** possible inappropriate content is stored on the device:

- We will notify the NYPD immediately and senior field counsel.
- We will immediately notify the parent.
- We will refrain from going through pictures, documents, phone numbers or texts on the electronic device.



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- We will not send or delete material, reproduce or “burn” copies of the images. We will wait for instructions from senior field counsel, who will coordinate with law enforcement.
- We will investigate the allegations and take appropriate disciplinary action in accordance with the Discipline Code.

4. Theft or Damage

If a student reports that an electronic device is stolen or damaged at school, schools must take the following steps:

- Notify the student’s parent.
- File an OORS report.
- Notify the NYPD if theft or other criminal activity is suspected.
- Investigate the allegations and take appropriate action in accordance with the Discipline Code.

We thank everyone in advance for their cooperation with this policy.

David Vota
SLT Chairperson

Dr. Mary Mc Inerney
Principal