

I. The Winston-Salem/Forsyth County Board of Education recognizes that cell phones and other wireless devices have become an important tool through which parents communicate with their children and by which students may access a variety of resources. Studies have shown that inappropriate, extended use and access by youth of social media by cell phones has been linked to increased mental health concerns such as anxiety, depression, poor sleep, body and image disorders, and disruptive behaviors.¹ Additionally, use of cell phones during the school day leads to many distractions to the learning environment. In order to foster an educational environment that is conducive to learning, it is essential that schools be free from unnecessary disruptions or interferences. Therefore, to minimize disruptions to the educational environment, the Board of Education believes there are very limited reasons for use of cell phones by students during the instructional day.

II. Definitions

1. **Wireless communication devices:** Wireless communication devices include, but are not limited to, headphones and ear buds, personal music devices, electronic games (outside of classroom instruction), cellular phones (“cell phones”), electronic devices with internet capabilities such as smart watches, and other similar devices.
2. **Instructional day:** The instructional day is the typical school day for students from the morning bell signifying the start of school until the afternoon bell signifying the end of school. Except for field trips and other school-sponsored extra-class activities, the instructional day does not generally include before and or after school.
3. **Disruptions:** Disruptions include, but are not limited to, videoing or photographing another person on school property while engaged in private or personal activities (e.g., in the restroom) without permission, using a cell phone or wireless communication device to circulate messages and/or coordinate a school disruption such as a fight during the instructional day, receiving audible alerts and notifications, other activities that cause an interruption to learning or to the educational environment.

III. Authorized Use by Students

- A. Except as set forth below, students are not permitted to use, display or have visible any wireless communication devices ~~on school property~~ during the instructional day or as otherwise directed by school rules or school personnel. *The instructional day is the typical school day for students from the morning bell signifying the start of school until the afternoon bell signifying the end of school. When a wireless communication device is in the possession of a student, it must be powered off and out of sight.*

¹ Social Media and Youth Mental Health: The U.S. Surgeon General’s Advisory, May 23, 2023

- B. High School students can use wireless communication devices only during their specified lunch period ~~and during class changes~~, so long as the students' use of the device does not violate the standards of the Code of Character, Conduct and Support or is used for one of the purposes outlined in IV.C below. Elementary School and Middle School students are not permitted to use, ~~possess or~~ display, *or have visible*, any wireless communication devices during the instructional day.
- C. ~~Except as set forth below~~ Wireless communication devices are not permitted to be visible or in use during classes or other instructional times. Administrators may authorize individual students to use wireless communication devices for personal purposes during the instructional day when there is a reasonable and legitimate need for such communication (e.g., health or medical necessity, assistive technology, etc.). Teachers and administrators may authorize individual students to use the devices for instructional purposes provided that they supervise the students during such use, and it is tied to a legitimate educational function as determined by the teacher.
- D. Although use generally is permitted before and after school, use of wireless communication devices may be prohibited on school buses when noise from such devices or a student's use of such devices interferes with the safe operation of the buses.

IV. Consequences for Unauthorized Use by Students

- A. Disciplinary consequences for unauthorized use of wireless communication devices shall be governed by and consistent with Board Policy 5131 Code of Character, Conduct and Support, and Administrative Regulation 5131 Code of Student Conduct. The Superintendent or designee shall list in the Code of Character, Conduct and Support the specific range of consequences that may be imposed on a student for violations of the Code and of this policy.
- B. If a student is found *using*, displaying or having visible a wireless communication device during the instructional day or at other times where use is unauthorized, the following shall apply:
 1. **1st offense:** Warning/redirection given to the student. *Parent is contacted.*
 2. **2nd offense:** Student conference and parent/guardian contact by the teacher.
 3. **3rd offense:** Office referral *and parent is contacted; teacher/school administration confiscates the device and returns to the student at the end of the day, and the parent/legal guardian must pick up the device at the end of the school day (Level 2).*
 4. ~~4th offense: Office referral; school administration confiscates, and the parent/legal guardian must pick up the device at the end of the school day (Level 2)~~

- ~~5. **5th offense:** Office referral; school administration confiscates device and parent/legal guardian must pick up device at the end of the school day; administration detention (Level 2)~~
- ~~6. **6th or subsequent offense:** Office referral; school administration confiscates device and parent/legal guardian must pick up at the end of the school day; student is not permitted to have the wireless communication device on school property for 30 calendar days. The parent or legal guardian will have the option of checking in the device with a school administrator on a day-to-day basis. (Level 2 but may be aggravated up to a higher level).~~

- C. The following factors should be considered when determining appropriate consequences for the unauthorized use of a wireless communication device: whether the wireless communication device was used (1) to reproduce images of tests, obtain unauthorized access to school information, or assist students in any aspect of their instructional program in a manner that violates any Board policy, administrative regulation, or school rule; (2) to bully or harass other students; (3) to incite or provoke violent acts or assaults on other students or school personnel; (4) to take or send obscene, pornographic, lewd, indecent, or otherwise sexually explicit text messages, photographs or videos (i.e., sexting); or (5) in any other manner that would make more severe disciplinary consequences appropriate.
- D. Unauthorized use of wireless communication devices will result in confiscation of the device by a school administrator. Absent compelling and unusual circumstances, confiscated wireless devices will be returned only to the student's parent or legal guardian. Additionally, if a student engages in any of the behaviors outlined in Section VI.C above, the student may be prohibited from having the wireless communication device on school property or a school-sponsored activity for the remainder of the school year.

V. **Liability**

Students are personally and solely responsible for the security of their wireless communication devices. The Board of Education and school system ~~is~~ **are** not responsible for the theft, loss or damage of a cellular phone or other personal wireless device.

VI. **Speech and Student Expression**

Nothing herein is intended to limit a student's right to express his or her thoughts and opinions at reasonable times and places, consistent with the protections of the First Amendment. In general, schools may place restrictions on a student's right to free speech when the speech is obscene, abusive, promoting illegal drug use, or is reasonably expected to cause a substantial disruption to the school day. If a student believes his or her constitutional rights have been violated, he or she may file a grievance in accordance with Board Policy [5145](#), Student and Parent Grievance Procedure.

Adopted: _____

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