

School Board Policy G6x50-5.183

CELLULAR TELEPHONES AND OTHER WIRELESS COMMUNICATIONS DEVICES

1. **Purpose.**-- For ease of reference, this Policy updates and expands upon existing portions of Policies 5.1812 and 5.1813 concerning wireless communications devices, to clarify that students may possess wireless communications devices as allowed by Fla. Stat. § 1006.07(2)(e) (except for camera phones), but students shall not use or display such devices at any time on school property, at a school function, or on District transportation.
2. **Definitions.**-- As used herein, the terms below are defined as follows:
 - a. "Wireless communications device" means a handheld electronic device having the ability to receive and/or transmit voice, text, or data messages without a cable connection, such as cellular telephones, digital wireless phones, radio-phones/walkie-talkies, telephone pagers, PDA phones (personal digital assistants with wireless communications capabilities), or RIM ("research in motion") wireless devices.
 - b. "Camera phone" means any cellular phone (or other wireless communications device) capable of taking digital photographs.
3. **Restrictions**
 - a. Students shall not possess, display, or use any camera phone at any time on school grounds or during any school-sponsored program or activity, including school transportation.
 - b. Although students may possess wireless communications devices pursuant to Fla Stat. § 1006.07(2)(e), students must abide by section (4)(a)(iii)(G) of Policies 5.1812 and 5.1813, "if students possess a cellular phone [or other wireless communications device], it should be turned off and kept inside a book bag, purse, or similar container, and it may not be used (and may not be allowed to emit any ringtone or other noise) on school grounds or during any school-sponsored program or activity, including school transportation."
4. **Consequences.**-- The following consequences may be imposed for violation of this Policy:
 - a. As stated in section (4)(a)(iii)(G) of Policies 5.1812 and 5.1813, use or display of a wireless communications device (other than a camera phone) constitutes a display or use of an item that is "disruptive to the general peace and welfare to a school center, school bus, or a school sponsored activity" and consequences will be imposed accordingly.
 - b. A student's possession or use of a camera phone on school grounds or during any school-sponsored program or activity, including school transportation, shall constitute "possession and/or use of items or contraband designated by the school as inappropriate materials" under Policy 5.1812 or 5.1813, section (4)(a)(iii)(H) ("Prohibited Items, Non-Criminal") and consequences will be imposed accordingly.
 - c. Additionally, "use of a wireless communications device includes the possibility of the imposition of disciplinary action by the school or criminal penalties if the device is used in a criminal act." Fla. Stat. § 1006.07(2)(e). Furthermore, "any person who uses a two-way communications device, including, but not limited to, a portable two-way wireless communications device, to facilitate or further the commission of any felony offense commits a felony of the third degree." Fla. Stat. § 934.215.

STATUTORY AUTHORITY: §§ 1001.41(2); 1001.43(1); 1006.07(2), Fla. Stat.

LAWS IMPLEMENTED: §§ 1001.32(2); 1006.07(2)(e), Fla. Stat.

HISTORY: New: 9/13/2004

UNACCEPTABLE BEHAVIORS / CONSEQUENCES

(P-5.18, P-5.189, P-5.186, P-5.1891, P-5.80, P-5.1812, P-5.1813, and P-5.1814)

Committing any criminal acts, including but not limited to:

Possession, use, sale, distribution, storage, or manufacture of any weapon

Possession, use, sale, distribution, storage or manufacture of alcohol, tobacco products, and other drugs or imitation drugs

Robbery, extortion, or stealing—taking something of value or forcing someone to give money, possessions, or anything of value to another

Vandalism—damaging or destroying property

Engaging in inappropriate, lewd, or obscene acts including sexual misconduct and sexual harassment

Assault and/or battery on any individual including school board personnel

Any kind of threat of violence including bomb threats and false fire alarms or false 911 calls

Gambling or forgery

Trespassing

Using unacceptable language, profanity, hate-related comments, etc.

Inappropriate behavior in school, on school buses and/or at bus stops including, but not limited to:

Disruptive behaviors

Being disrespectful or rude

Disobedience or refusing to obey any staff member

Not following classroom or bus rules

Cheating or plagiarism

Violations of any school rules including but not limited to:

Parking a vehicle on school grounds without an official permit or in unauthorized areas

Leaving class or school grounds without permission

Being tardy, truant from school, and/or out of an assigned area

Dress code violations

Engaging in physical or verbally aggressive behaviors toward others including, but not limited to:

Fighting

Bullying or harassment of any kind with the intent of hurting or humiliating another individual for any reason including, but not limited to: age, gender, race, ethnicity, nationality, or sexual orientation

Any gang or hate-related activities or behaviors

Intentionally making a false accusation that jeopardizes the professional reputation, employment, or certification of a teacher or other member of a school staff

Any other threatening behaviors

Bringing any items to school that are not conducive to a safe and orderly learning environment including, but not limited to: games, radios, iPods or digital music devices, audio recorders, beepers, laser pointers and telephones (if a student brings a cellular telephone to school, it must be powered off and kept inside a book bag, purse, etc., and shall not be used on school grounds or during any school-sponsored program or activity, including school transportation). Students shall not possess, display or use camera telephones on school property. For additional information regarding cellular telephones refer to P-5.183.

Federal guidelines (18 U.S.C. 922(q)(1) and (3)) require that states have a zero tolerance law regarding substance abuse, guns, and crime.

Florida Statute § 1006.13 mandates that “each school district shall adopt a policy of **zero tolerance** for crime and substance abuse...” That law further requires that expulsion be recommended for any student at school or at a school function with a firearm or weapon, as defined in Chapter 790 or any student making a threat or false report as defined by Florida State Statutes §§ 790.162 and 790.163. In fulfilling this statutory requirement, we have incorporated the specified legal definitions into the language of the Code of Conduct (P-5.18).

In complying with the law, the Palm Beach County School Board defines **zero tolerance** to mean that certain kinds of misconduct will always lead to a disciplinary consequence. For certain misconduct, administrators have discretion as to discipline and penalties and for others the school board has mandatory penalties.

All of these policies have been enacted to ensure that your child is safe and has every opportunity to benefit from instruction.