

Section 9-11.6. Portable communication devices permitted; use in classroom; superintendent to develop regulations. —

~~A. The School Board hereby permits the use of portable communication/technology devices by students enrolled in Suffolk Public Schools during the school day. Portable communication/technology devices include, but are not limited to, cell phones, smart phones, tablets, eReaders, smart watches and laptops.~~

~~B. Recognizing that certain electronic devices may not be appropriate for instruction, portable communication/technology devices will only be considered for classroom use if they are mobile and have the capability of browsing the Internet. Whether a device is appropriate to connect to Suffolk Public Schools' network will be made by Suffolk Public Schools' technology department and the decision will be final.~~

~~C. The school superintendent is hereby authorized to develop regulations for further implementation of this policy. (Adopted August 8, 2002; Ordinance Number 02/03-01; Effective: August 8, 2002; Revised June 9, 2016; Ordinance Number 15/16-96; Effective Date: July 1, 2016; Revised/Effective Date: June 9, 2022; Ordinance 20/21-41)~~

Legal Authority — Virginia Code §22.1-279.6 (1950), as amended.

Section 9-11.6 Definitions. For purposes of this policy the following definitions apply.

“Cell phone” means a portable electronic device capable of making and receiving calls, sending and receiving text messages, capable of connecting to a smart phone, the internet, a cellular or Wi-Fi network, or directly connects to another similar device, regardless of whether or not the phone is connected to a network to provide phone service. It encompasses any handheld device that falls under this description, including smart watches, smart glasses, personal headphones, laptops, tablets, and other personal electronic communication devices, including virtual reality headsets and devices. It does not encompass any items issued by the school division such as computers or tablets.

“Class time” means the specific periods allocated for instructional sessions or courses throughout the school day. It represents the duration during which students are engaged in learning activities under the guidance of a teacher or instructor with a designated classroom or instructional setting. Class time is a component of the overall instructional hours.

“Instructional hours” means the designated time periods during the school day when formal teaching and learning activities take place, including classroom instruction, lectures, discussions, and educational activities supervised by teachers or staff.

“School day” means the entire school day including class time, instructional hours, recess, lunch, study hall, and passing time, and it includes while on school premises, field trips and other off-campus school sponsored activities.

Legal Authority — Governor Youngkin’s Executive Order 33 (July 9, 2024); VDOE Guidelines for Cell Phone-Free Education (September 16, 2024)

Section 9-11.7 Use of cell phones prohibited; students accountable for safekeeping; limited exceptions. — A. The use of cell phones, including but not limited to making calls, sending text messages, browsing the internet, and accessing applications, is strictly prohibited within classrooms and during the school day. Students will be required to stow cell phones in a designated location upon their entry into the classroom immediately before class time. Designated locations may include secure pouches such as Yondr bags, a cell phone cabinet, hanging pocket holders, or a basket.

B. Students are individually accountable for the safekeeping and protection of their cell phones while on school premises. The school division does not assume responsibility or liability for instances of theft, loss, damage, misuse, or unauthorized use of cell phones brought onto school property by students. However, exceptions may apply in cases where negligence by school district personnel contributes to such instances.

C. In cases of emergencies, instructional purposes if requested by the teacher and approved by the building principal, or as authorized by an IEP team, exceptions to this policy may be granted. For purposes of this policy, “emergency” should be interpreted to mean a situation that poses an immediate threat to the safety, health, or well-being of individuals on school grounds or during school-sponsored activities, and where the use of a cell phone is necessary to seek assistance, report an emergency, or communicate urgent information to authorities or designated personnel.

Legal Authority — Governor Youngkin’s Executive Order 33 (July 9, 2024);
VDOE Guidelines for Cell Phone-Free Education (September 16, 2024)

Section 9-11.8 Enforcement; progressive disciplinary action; search of cell phone prohibited limited exceptions. — A. Teachers and staff are responsible for enforcing this policy. Violations of this policy may result in disciplinary action in accordance with the school handbook or code of conduct.

B. Disciplinary action will be progressive depending on the number of violations and may involve, but is not limited to, one or more of the following:

(i) written warning;

(ii) a phone call to the student’s parent or guardian; or

(iii) in-school suspension.

C. School officials will not search or otherwise manipulate cell phones of students unless:

1. They reasonably suspect that the cell phone contains evidence of a violation of law or school policies;

2. There is an immediate threat to the safety and security of students, staff, or school property, such as threats or acts of violence;

3. The student voluntarily consents to the search of their cell phone, either verbally or in writing, without coercion; or
4. If there is a valid search warrant issued by a court of law authorizing search of the cell phone based on probable cause.

Legal Authority — Governor Youngkin's Executive Order 33 (July 9, 2024); VDOE Guidelines for Cell Phone-Free Education (September 16, 2024)

Section 9-11.9 Parent communications during the school day; cell phone agreement. — A. Parents are advised that they may maintain communication with their child during the school day through established channels provided by the school. These may include contacting the school office directly via telephone or email, where messages can be relayed to the student. School administration shall ensure that parents are promptly informed of any important updates or incidents involving their child, encouraging a collaborative approach to student safety and well-being.

B. For parents and students to know the expectations and consequences related to cell phone use at school, they will be expected to sign an agreement which includes the information contained in this policy as well as an explanation about the detrimental impact of excessive cell phone use. Suffolk Public Schools administration will provide an update to parents regarding this policy at least once per year. For purposes of this policy, the term "parent" includes a legal guardian or other person who is legally responsible for the welfare of the child (such as a grandparent or stepparent with whom the child lives). Rights under this policy transfer from the parents to a student who is 18 years old or emancipated under state law.

Legal Authority — Governor Youngkin's Executive Order 33 (July 9, 2024); VDOE Guidelines for Cell Phone-Free Education (September 16, 2024)