Administrative Regulation 5810
USE OF PERSONAL ELECTRONIC DEVICES BY STUDENTS – PROHIBITED CONDUCT

Responsible Office: Office of Academics

PURPOSE

This Administrative Regulation describes the process in which the Washoe County School District (District) handles the use of personal electronic devices by students.

DEFINITIONS

1. "Electronic Devices" mean any electronic device that is capable of recording or transmitting any audio, video, images or written information or messages to another electronic device. Electronic devices include, but are not limited to, smart phones, cell phones, smart watches, smart glasses, ear buds, and tablets. This term does not apply to an electronic device issued to a student by the District or the school in which the student is enrolled.

2. "Surreptitious Recording" means the unlawful use of any electronic device to secretly capture, transmit, or record audio, video, images, or communications without the knowledge or consent of the individuals being recorded.

REGULATION

1. The District promotes 21st Century Learning and the responsible and thoughtful use of personal electronic devices at the discretion of school administration, to support student achievement.

2. Electronic devices can be disruptive, cause student safety and privacy issues, violate Nevada surreptitious recording laws and the District's academic integrity rules, may interfere with emergency responses, and interfere with student learning, to include the disruption of the learning of those who are not in possession of such devices. The following regulation governs student use and possession of electronic devices while on school premises and during school sponsored events and activities:

    a. At the discretion of school administration, students may possess or use electronic devices outside of the classroom/instructional time, provided that the use of such devices does not interfere with the instructional process or normal school operations.

    b. Inside the classroom, during instructional time, and during school sponsored events and activities, electronic devices shall be in the "off" position, and stored unless the devices are being used for instructional

purposes as approved by the teacher and/or administrator or falls within one of the following limited exceptions:

i. If an Individualized Education Program (IEP) or Section 504 Plan created by an IEP or Section 504 team determines that a student requires access to an electronic device to access curriculum, instruction or specially designed instruction, or manage the student's health, and the team has determined no other reasonable accommodation would effectively meet the student's identified needs, the school must allow the student to utilize such accommodations.

1. Unless otherwise specified in an IEP or Section 504 Plan, electronic devices shall not be used in classrooms during assessments, semester exams, or other testing.

ii. If a student health plan has been developed for a student based on a physician's order and in consultation with the school nurse, which provides that a student requires access to an electronic device to manage the student's health, and the team has determined no other reasonable accommodation would effectively meet the student's identified needs, the school must allow the student to utilize such device.

iii. If there is an emergency or crisis, a student may use an electronic device as authorized by the administrator, in consultation with emergency responders, to ensure electronic communications do not create further health, safety, or security issues for students and staff and to maintain the integrity of emergency response operations.

3. Consequences for Electronic Device Violations:

a. For a first offense in which the inappropriate use is determined to be disruptive but not a safety issue, the behavior should be classified as a minor infraction.

b. Three electronic device violations in a 10-school day period in which guidance for the student has been provided for the previous two electronic device violations will be classified as a major infraction either coded as "Disregard for School Rules" or "Disturbance of School Activities."

c. If in the judgment of school administration, any electronic device violation rises beyond the minor level because of a major disruption to the

education environment or because of a safety concern, the infraction should be classified as a major behavior.

d. Consistent with disciplinary practices for all minor and major behavioral infractions, progressive discipline steps as outlined in the District's Behavior Manual should be followed. Because school administrators have discretion to allow use of electronic devices for educational reasons, use of an electronic device is not explicitly referenced as its own behavior infraction in the Behavior Manual. However, use of electronic devices in the commission of a separate behavior infraction may include, but is not limited to:

    1. Threats to safety and well-being;
    2. Bullying, including cyberbullying;
    3. Discrimination, harassment, and intimidation;
    4. Instigation/promotion of fighting;
    5. Extortion;
    6. Sexual misconduct;
    7. Disregard for school rules;
    8. Disturbance of school activities and/or instruction; and
    9. Disturbing the peace.

e. After an electronic device violation occurs, the teacher or administrator has the discretion to confiscate a student's electronic device.

    i. A student's failure to relinquish an electronic device when requested by a teacher or administrator will constitute a major behavioral infraction.

    ii. The parent/guardian shall be notified as soon as practical of the infraction and that the device was confiscated.

    iii. Rules for electronic device use shall be reviewed with the student and parent, and the electronic device should be returned after such review.

f. If an electronic device is confiscated for a third time in the same school year, at the school administrator's discretion, a student's privileges for use of electronic devices may be revoked for the remainder of the school year and can be applied to the subsequent year should there be fewer than 90

days remaining in the current school year. The school will work with the student's parent/guardian to ensure the device is left at home for the duration of the school year.

i. In applying their discretion, school administrators should consider factors such as whether the violation occurred due to a family, health, or safety emergency, whether the phone was used for educational purposes, etc.

g. If a student's use of an electronic device also implicates a violation of law, including but not limited to, surreptitious recording on school premises, the administrator should refer the student's conduct to School Police and the electronic device violation may constitute a major behavioral infraction.

LEGAL REQUIREMENTS & ASSOCIATED DOCUMENTS

1. This Administrative Regulation reflects the goals of the District's Strategic Plan and aligns/complies with the governing documents of the District, to include:
    a. Board Policy 5100, Student Behavior.
2. This Administrative Regulation complies with Nevada Revised Statutes (NRS) and Nevada Administrative Code (NAC) to include:
    a. Chapter 392, Pupils, and specifically:
        i. NRS 392.4637, Policy concerning use and possession of pagers, cellular telephones and other electronic devices.
    b. Chapter 393, School Property, and specifically:
        i. NRS 393.400, Surreptitious electronic surveillance; exceptions.
3. This Administrative Regulation complies with federal laws and regulations, to include:
    a. Family Educational Rights and Privacy Act (FERPA);
    b. Individuals with Disabilities Education Act (IDEA); and
    c. Section 504 of the Rehabilitation Act of 1973.
4. This Administrative Regulation references and is associated with the District's Behavior Manual.

REVISION HISTORY

Date	Revision	Modification
12/06/2010	A	Initial Release as CSI procedure (SUP-P003)
3/05/2015	1.0	Converted to Administrative Regulation
11/26/2024	2.0	Revised when students may access electronic devices, expanded the types of behavior infractions that are associated with electronic devices, and modified the consequences for electronic device offenses.
10/27/2026	3.0	Revised to include definitions, expanded to address privacy concerns through electronic devices such as smart glasses, added surreptitious recording, expanded exceptions in compliance with state law, and added legal authority.