

5516. USE OF ELECTRONIC COMMUNICATIONS AND RECORDING
DEVICES (ECRD)

The Board of Education believes pupils and/or school staff members should not be subject to having a video or audio recording taken of any pupil(s) or school staff member(s) for any purpose without the consent of the pupil, the pupil's parent or guardian, and/or the school staff member. In addition to protecting the privacy rights of pupils and school staff members, the Board recognizes such recordings can be disruptive to the educational program. In addition, inappropriate recordings of educational material, pupil assessment instruments, and/or pupil assessment reviews can be used to compromise the integrity of the district's educational program or lead to academic dishonesty in the event such recordings are stored and/or transmitted to other pupils. Therefore, the Board of Education adopts this Policy regarding pupil use of electronic communication and recording devices.

"Electronic communication and recording device (ECRD)" includes any device with the capability to audio or video record or is capable of receiving or transmitting any type of communication between persons. An ECRD includes, but is not limited to, cameras, cellular and wireless telephones, pagers/beepers, laptop computers, electronic readers, personal digital assistants (PDAs), two-way radios, portable fax machines, video broadcasting devices, and any other device that allows a person to record and/or transmit, on either a real time or delayed basis, sound, video or still images, text, or other information.

A student is responsible for good behavior while using an ECRD just as they are in the classroom or in the school hallway. An ECRD may be used on school grounds with the permission of the pupil's teacher supervising the pupil in a curricular or school-sponsored co-curricular activity. Each teaching staff member shall determine if the use of an ECRD may be used by pupils under their supervision. The teaching staff member, in approving use of an ECRD, shall ensure a pupil's personal use of such device does not provide an unfair advantage or benefit to a pupil who possesses and uses such device over a pupil that does not possess or use such device.

Any audio and/or video recording by a pupil using an ECRD with permission of a the pupil's teacher while participating in a curricular or school-sponsored activity where other pupils or staff members are present shall require the permission for such recording from any other pupil and their parents or guardians and/or staff members whose voice or image is to be recorded.



A pupil authorized or approved to use an ECRD shall use the ECRD for use as approved by the teaching staff member. In such approved use, the pupil may not use an ECRD to access internet sites or view information or internet-based material that is inappropriate or would be blocked from pupil access by the school district's acceptable use of computers and networks policy. The school district reserves the right to view any information on a pupil's ECRD that was accessed using the school district's network or internet. The school district is not responsible for a pupil's ECRD in the event of theft, hardware or software damage or breakage.

This Policy is not intended to prohibit appropriate use of electronic devices for authorized or approved official curricular or school-sponsored co-curricular activities such as yearbook photographs, staff member/teacher-directed and approved activities, classroom presentations, and athletic events and drama production filming. Nothing in this Policy is intended to prevent a pupil from using an ECRD and recording school-sponsored co-curricular activities as a non-participant when the activity is open to the general public.

For the purposes of this policy, "school grounds" means and includes land, portions of land, structures, buildings, and structures that support these buildings, including, but not limited to, administrative buildings, kitchens, maintenance shops, and garages. "School grounds" also includes other facilities as defined in N.J.A.C. 6A:26-1.2, playgrounds, and other recreational places owned by the local municipalities, private entities, or other individuals during those times when the school district has exclusive use of a portion of such land.

An ECRD used in violation of this Policy will be confiscated by a school staff member or Principal or designee. The pupil's parent/legal guardian will be required to come to school to have the ECRD returned. A pupil that uses an ECRD in violation of this Policy may also be subject to appropriate disciplinary action in the district: Acceptable Use of Computers Networks/Computers, Resources and ECRD's and Code of Conduct.

A pupil shall not bring or possess any remotely activated paging device on any school grounds, including on a school bus or at a school-sponsored function, at any time and regardless of whether school is in session or other persons are present without the express written permission of the Principal. The pupil must submit a written request and establish to the satisfaction of the Principal a reasonable basis for the possession of the device. The written request must include the purpose for the pupil possessing and/or bringing the device on school property and the date or dates in which the pupil requests to possess and/or bring the device on school property. The written request must also include the date in which the pupil will no longer need to bring and/or possess the device on school property.



The Principal, upon reviewing the request from the pupil, will make a determination. The determination will be in writing and if approved, written permission for the pupil to bring and/or possess a remotely activating paging device will be provided to the pupil. Permission will only be provided for the school year.

The pupil must submit a new request if the time in which permission is given to bring and/or possess a device expires. The pupil that is granted permission to possess and/or bring the device must be in the possession of the device at all times. The Principal or designee shall immediately notify the Superintendent of Schools and the appropriate criminal justice or juvenile justice agency if a pupil brings or possesses a remotely activated paging device in violation of N.J.A.C. 6A:16-5.8 and this Policy.

A pupil who is an active member in good standing of a volunteer fire company, first aid, ambulance or rescue squad may bring or possess a remotely activated paging device on school property only if the pupil is required to respond to an emergency and the pupil provides a statement to the Superintendent from the chief executive officer of the volunteer fire company, first aid, ambulance or rescue squad authorizing the possession of the device by the pupil at all times and that the pupil is required to respond to an emergency.

The Principal or designee will confiscate the remotely activated paging device, take appropriate disciplinary action and shall immediately notify the Superintendent of Schools and the appropriate criminal justice or juvenile justice agency if a pupil brings or possesses a remotely activated paging device in violation of N.J.S.A. 2C:33-19 and this Policy.

N.J.S.A. 2C:33-19

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