

ADMINISTRATIVE POLICY

The online version of this policy is official.
Therefore, all printed versions of this
document are unofficial copies.

SCHOOL SEARCHES OF STUDENT CELL PHONES AND/OR ELECTRONIC DEVICES

Pursuant to the CMCSS Student Code of Conduct, CMCSS students have no expectation of privacy for cell phone and other electronic device use on CMCSS property and/or at or related to CMCSS functions, activities, or trips. As such, school administration may search and review any and all student electronic devices, including cell phones, if there is reasonable suspicion that a search will reveal a violation of school rules. Pursuant to this policy, CMCSS allows searches of student cell phones or other electronic devices per the following conditions:

1. While teachers are permitted to seize student cell phones/electronic devices from students if there is reasonable suspicion that school rules have been or are being violated, the search/investigation of said devices must be conducted by school administrators or their designees.
2. Searches may only be conducted of student cell phones/electronic devices seized on CMCSS property and/or at CMCSS functions, activities, or trips.
3. The school administrator or his/her designee shall timely conduct interviews and take other necessary investigatory steps regarding the complaint/allegations prior to any search of student cell phones/electronic devices being conducted.
4. In the course of the investigation, administrative staff shall not unnecessarily send, receive, view, or transmit nude photographs of students or minors or any other inappropriate images or data.
5. The examination or viewing of the evidence/information on any student cell phone/electronic device shall be reasonably related to the objective of the search and limited to the extent necessary to determine that violations of school rules occurred.
6. The search by the school administration is limited to searching specific files or applications that could contain information relating to potential materials described in one or more of the situations listed below:
 - The threat of safety and security of students and staff of the school district
 - For evidence/data relating to issues of academic dishonesty
 - Nude or inappropriate pictures of adults
 - Evidence of misconduct relating to school related matters and/or violations of school rules.
7. The investigation, witness statements, and evidence shall be documented along with the outcome of the investigation and search.

School administrators and their designees are not allowed to search phones for material concerning items of a sexual nature involving minors or students, nudity involving minors or students, and/or child porn. Thus, if allegations about information contained on a student cell phone/electronic device include anything that would be deemed as nude pictures of students or minors, then the student cell phones/electronic devices would need to be turned over to the school SRO so that the matter could be forwarded to the proper law enforcement agency to conduct an investigation. If during a search by a school administrator or his/her designee nude pictures of students or minors are discovered, then the search of the student cell phone/electronic device should end, and said device shall be given to the school SRO so that the matter could be forwarded to the proper law enforcement agency to conduct an investigation. An exception to this

procedure exists if the school administrator or his/her designee is involved in an investigation that in the discretion of CMCSS requires immediate information gathering in an attempt to assure the safety and security of students and staff.

As with any investigation, refusal to cooperate with administrators or school officials may result in consequences for disobedience.

Implementing Procedures: None

Associated Documents: [STS-M001](#)

Revision History:

<u>Date:</u>	<u>Rev.</u>	<u>Description of Revision:</u>
5/4/2015		Initial Release

***** End of Policy *****