

STANDING COMMITTEE: **GOVERNANCE AND EMPLOYEE ISSUES**

DATE OF MEETING: Monday, March 13, 2017

ITEM: Mr. Monfredo/Miss Biancheria/Mr. Foley (October 19, 2015)

Request that the School Committee review the policy on cell phones and gather information from all secondary principals.

PRIOR ACTION:

- 11-5-15 - Referred to the Standing Committee on Governance and Employee Issues.  
Mr. Monfredo made the following motion:  
Request that the Administration seek input regarding the cell phone policy from teachers, through the EAW, administrators at the secondary level and from students on the Superintendent's Student Advisory Council.  
On a voice vote, the motion was approved.
- 4-26-16 - **STANDING COMMITTEE ON GOVERNANCE AND EMPLOYEE ISSUES**  
A group of secondary principals attended the meeting to discuss possible changes to the cell phone policy.  
Some of the suggestions made included:
- creation of three separate policies for elementary, middle and secondary schools
  - retention of cell phones in lockers for middle school students
  - delineate ways to use cell phones in an appropriate way for 21<sup>st</sup> century learning at the high school level
  - restrictions for video and audio
  - access to well defined professional use of cell phones
  - restrictions relative to computer watch use
  - proper phone etiquette early, perhaps in 6<sup>th</sup> grade
- (Continued on page 2.)

BACKUP: Based on the positive responses from the secondary principals, the Administration is not recommending any changes to the current policy.

PRIOR ACTION (continued)

4-26-16 - Miss Biancheria indicated that the amended cell phone policy (continued) should be included in the 2016-17 Policies Handbook. The following principals volunteered to serve on a committee to develop proposed elementary, middle and high school cell phone policies:

Mr. Peter Bowler	Mr. Ricci Hall
Mrs. Lisa Dyer	Mrs. Houlihan
Mr. William Foley	Mr. Whalen

The committee should forward the proposed policies to the School Committee Office on or before, May 11, 2016 for presentation at the Standing Committee on Governance and Employee issue.

4-28-16 - SCHOOL COMMITTEE MEETING - The School Committee approved the action of the Standing Committee as amended. A group of secondary principals attended the meeting to discuss possible changes to the cell phone policy. Some of the suggestions made included:

- creation of three separate policies for elementary, middle and secondary schools
- retention of cell phones in lockers for middle school students
- delineate ways to use cell phones in an appropriate way for 21<sup>st</sup> century learning at the high school level
- restrictions for video and audio
- access to well defined professional use of cell phones
- restrictions relative to computer watch use
- proper phone etiquette early, perhaps in 6<sup>th</sup> grade

Miss Biancheria indicated that the amended cell phone policy should be included in the 2016-17 Policies Handbook.

The following principals volunteered to serve on a committee to develop proposed elementary, middle and high school cell phone policies:

Mr. Peter Bowler	Mr. Ricci Hall
Mrs. Lisa Dyer	Mrs. Houlihan
Mr. William Foley	Mr. Whalen

The committee should forward the proposed policies to the School Committee Office on or before, May 18, 2016 for presentation at the Standing Committee on Governance and Employee Issues.

Mr. O'Connell stated the system did not need a new policy, revised policy or a watered down policy. What is needed is an effective, consistent enforcement of the current Cell Phone Policy. By policy, the principals require that students put their cell phones in their locker at the beginning of the day and that it remain there during the course of the day and the students take it home at the end of the day.

PRIOR ACTION (continued)

4-28-16 - (continued) The Administration hears periodic arguments about how a cell phone can be useful in school. What is not often addressed is why a cell phone can be a significant problem in school. Everyone knows that it is a distractive device. Students are specifically in school to learn and are not in school to be distracted by whatever other factors interfere with their concentration on learning and their focus on instruction. If the Administration allows students to have cell phones during the day, it serves as an ongoing distraction to the students not only at the elementary and middle school levels but especially at the high level where the academic work is all that more sophisticated. He indicated concern that schools have essentially unfurled the white flag of surrender in terms of enforcing the policy that the system now has in effect. The policy needs to be not just retained but also enforced. He suggested that the Administration needs to send a message to the principals and support our teachers who want to enforce a vigorous policy with regard to no use of cell phones in class.

6-1-16 - This item was held due to a delay in getting it reviewed and approved as to form.

6-9-16 - **STANDING COMMITTEE ON GOVERNANCE AND EMPLOYEE ISSUES**

It was moved and voice voted to approve the following amended Rule 13 Policy to be included in the Policies Handbook:

Rule 13. – Cell Phones, Electronic Devices, and Laser Pointing

Devices While on school premises or at a school sponsored event, a student shall not, without expressed permission of appropriate school personnel, use any cell phone, smart phone, tablet, camera or any other type of electronic device which may potentially be disruptive of school activities or a distraction to students. Electronic devices shall include any cell phone, smart phone, tablet or anything powered by electricity and is suitable for communicating any oral, voice, audio or text messages or postings or for recording or communicating any audio, voice, picture, image or video imagery. Students are not permitted to have their cell phones or electronic devices powered while in school.

PRIOR ACTION (continued)

- 6-9-16 - Use of such devices in violation of this rule may result in disciplinary action including, but not limited to, out-of-school suspension time. The School Administration reserves the right to confiscate cellular phones or other electronic devices when a student is believed to be violating this rule.
- (con't) A student shall not use or possess a laser pointing device of any type on school premises or at a school sponsored event, unless such device is distributed by a teacher or its use is authorized by a teacher in connection with school work. Use of a laser pointing device against the face, eyes, or head of another individual may be considered a weapon for disciplinary purposes including, but not limited to, the possibility of long-term suspension.

Enforcement and Penalties:

This cell phone policy may be enforced by the principal, any teacher (including substitutes) or by any other school official or employee designated by the principal.

Enforcement personnel shall have the right to confiscate any cell phone or electronic device possessed or used in violation of the code of conduct.

Penalties for students found in violation of the policy will be as follows:

- First offense: Student's cell phone/electronic device will be confiscated and returned to the student at the end of the school day.
- Second and subsequent offenses: Student's cell phone/electronic device will be confiscated and returned only to the student's parents or guardians. Any such parent or guardian may, within five days of any such confiscation, request a hearing to determine the validity of the violation of the code of conduct and resulting confiscation of the cell phone/electronic device. In such event the principal shall designate a hearing officer who shall: 1) give the student and/or his or her parents/guardians an opportunity to present their case; 2) hear or review the incident report from the enforcing person and any other person with relevant information; and, 3) provide a recommendation to the principal as to whether there is a reasonable basis to conclude that the cell phone policy of the code of conduct was violated by the student. Regardless of any request for a hearing, any confiscated cell phone/electronic device shall be returned to the parent/guardian at the first opportunity and shall not be dependent on the scheduling or outcome of any hearing.

PRIOR ACTION (continued)

- 6-9-16 - (con't) - Student committing repeated violations of this policy may be subject to additional disciplinary action, consistent with the Worcester Public Schools Code of Conduct up to and including suspension from school.

Mr. Monfredo made the following motions:

Request that Rule 13. – Cell Phones, Electronic Devices and Laser Pointing Devices be reviewed in January for possible amendments, if needed.

Request that the Principals review Rule 13. – Cell Phones, Electronic Devices and Laser Pointing Devices with students and parents during the first week of school and include it in their newsletters.

On a voice vote, the motions were approved.

- 6-16-16 - SCHOOL COMMITTEE MEETING - The School Committee approved the action of the Standing Committee as amended.

Mr. O'Connell stated that he was opposed to the first paragraph because it clearly allows students to have cell phones within schools. The only violation of the rule is triggered when the cell phone is powered. He further stated that the rule the system should have is one that would not allow cell phones within the schools.

Mr. O'Connell requested to replace the first paragraph of Rule 13 with the current rule Rule 13 first paragraph.

Mr. Monfredo stated that the members of the Standing Committee met with the principals who stated that they did not want to have the cell phones in lockers because they get stolen.

It was moved to approve the following amended Rule 13 Policy to be included in the Policies Handbook:

Rule 13. – Cell Phones, Electronic Devices, and Laser Pointing Devices

While on school premises or at a school sponsored event, a student shall not, without expressed permission of appropriate school personnel, use any cell phone, smart phone, tablet, camera or any other type of electronic device which may potentially be disruptive of school activities or a distraction to students. Electronic devices shall include any cell phone, smart phone, tablet or anything powered by electricity and is suitable for communicating any oral, voice, audio or text messages or postings or for recording or communicating any audio, voice, picture, image or video imagery. Students are not permitted to have their cell phones or electronic devices powered while in school.

PRIOR ACTION (continued)

- 6-16-16 - (con't) Use of such devices in violation of this rule may result in disciplinary action including, but not limited to, out-of-school suspension time. The School Administration reserves the right to confiscate cellular phones or other electronic devices when a student is believed to be violating this rule.
- A student shall not use or possess a laser pointing device of any type on school premises or at a school sponsored event, unless such device is distributed by a teacher or its use is authorized by a teacher in connection with school work. Use of a laser pointing device against the face, eyes, or head of another individual may be considered a weapon for disciplinary purposes including, but not limited to, the possibility of long-term suspension.
- Enforcement and Penalties:
- This cell phone policy may be enforced by the principal, any teacher (including substitutes) or by any other school official or employee designated by the principal.
- Enforcement personnel shall have the right to confiscate any cell phone or electronic device possessed or used in violation of the code of conduct.
- Penalties for students found in violation of the policy will be as follows:
- First offense: Student's cell phone/electronic device will be confiscated and returned to the student at the end of the school day.
  - Second and subsequent offenses: Student's cell phone/electronic device will be confiscated and returned only to the student's parents or guardians. Any such parent or guardian may, within five days of any such confiscation, request a hearing to determine the validity of the violation of the code of conduct and resulting confiscation of the cell phone/electronic device. In such event the principal shall designate a hearing officer who shall: 1) give the student and/or his or her parents/guardians an opportunity to present their case; 2) hear or review the incident report from the enforcing person and any other person with relevant information; and, 3) provide a recommendation to the principal as to whether there is a reasonable basis to conclude that the cell phone policy of the code of conduct was violated by the student. Regardless of any request for a hearing, any confiscated cell phone/electronic device shall be returned to the parent/guardian at the first opportunity and shall not be dependent on the scheduling or outcome of any hearing

PRIOR ACTION (continued)

- 6-16-16 - (con't)
- Student committing repeated violations of this policy may be subject to additional disciplinary action, consistent with the Worcester Public Schools Code of Conduct up to and including suspension from school.

On a roll call 6-1 (nay-Mr. O'Connell), the motion was approved.

It was moved to suspend the Rules of the School Committee.

On a roll call of 6-1 (nay-Mr. O'Connell), the motion was approved.

It was moved to reconsider the motion to approve the following amended Rule 13 Policy to be included in the Policies Handbook:

Rule 13. – Cell Phones, Electronic Devices, and Laser Pointing Devices

While on school premises or at a school sponsored event, a student shall not, without expressed permission of appropriate school personnel, use any cell phone, smart phone, tablet, camera or any other type of electronic device which may potentially be disruptive of school activities or a distraction to students. Electronic devices shall include any cell phone, smart phone, tablet or anything powered by electricity and is suitable for communicating any oral, voice, audio or text messages or postings or for recording or communicating any audio, voice, picture, image or video imagery. Students are not permitted to have their cell phones or electronic devices powered while in school.

Use of such devices in violation of this rule may result in disciplinary action including, but not limited to, out-of-school suspension time. The School Administration reserves the right to confiscate cellular phones or other electronic devices when a student is believed to be violating this rule.

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Enforcement personnel shall have the right to confiscate any cell phone or electronic device possessed or used in violation of the code of conduct.

PRIOR ACTION (continued)

- 6-16-16 - Penalties for students found in violation of the policy will be as follows:  
(con't)
- First offense: Student's cell phone/electronic device will be confiscated and returned to the student at the end of the school day.
  - Second and subsequent offenses: Student's cell phone/electronic device will be confiscated and returned only to the student's parents or guardians. Any such parent or guardian may, within five days of any such confiscation, request a hearing to determine the validity of the violation of the code of conduct and resulting confiscation of the cell phone/electronic device. In such event the principal shall designate a hearing officer who shall: 1) give the student and/or his or her parents/guardians an opportunity to present their case; 2) hear or review the incident report from the enforcing person and any other person with relevant information; and, 3) provide a recommendation to the principal as to whether there is a reasonable basis to conclude that the cell phone policy of the code of conduct was violated by the student. Regardless of any request for a hearing, any confiscated cell phone/electronic device shall be returned to the parent/guardian at the first opportunity and shall not be dependent on the scheduling or outcome of any hearing.
  - Student committing repeated violations of this policy may be subject to additional disciplinary action, consistent with the Worcester Public Schools Code of Conduct up to and including suspension from school.

On a roll call of 1-6 (yea-Mr. O'Connell), the motion to reconsider was defeated.

Mr. Monfredo made the following motions:

Request that Rule 13. – Cell Phones, Electronic Devices and Laser Pointing Devices be reviewed in January for possible amendments, if needed.

Request that the Principals review Rule 13. – Cell Phones, Electronic Devices and Laser Pointing Devices with students and parents during the first week of school and include it in their newsletters.

On a voice vote, the motions were approved.