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MEMORANDUM

TO: District School Superintendents

FROM: Jim Warford

DATE: August 6, 2004

SUBJECT: Student Possession of Cellular Telephones on School Property

The 2004 Legislature passed Senate Bill 184, relating to district school board duties pertaining to student discipline and school safety. The bill amends Section 1006.07(02), Florida Statutes, by revising the requirements relating to the code of student conduct. Specifically, the bill:

- deletes the notice requirement for possession of an electronic telephone pager while a student is on school property or attending a school function;
- provides for the possession of wireless communications devices;
- requires notice of possible disciplinary action or criminal penalties if a wireless communications device is used in a criminal act; and
- requires each district school board to adopt rules governing the use of a wireless communications device by a student while the student is on school property or in attendance at a school function.

JIM WARFORD
K-12 Chancellor

District School Superintendents

August 6, 2004

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It should be noted that Section 1006.07(2), Florida Statutes, merely sets forth the minimum requirements for the code of student conduct and is not limited to the conditions described therein. District school boards still retain the power to regulate student conduct within the parameters set by statute. Thus, while the statute as amended now states that a student may possess wireless communication devices while on school property or at school functions, the regulation of when and how such devices may be used during such times may still be determined by the district school board. For specific bill language, please see the link below:

<http://www.flsenate.gov/data/session/2004/Senate/bills/billtext/pdf/s0184er.pdf>

Also, please find below the link to a sample district policy, modified from one Florida school district's technical assistance paper pertaining to student use of cellular telephones.

<http://info.fldoe.org/dscgi/ds.py/Get/File-1507/DPS04-029att.pdf>

If you have further questions, please do not hesitate to contact Lorraine H. Allen, Administrator, Office of Safe and Healthy School, by telephone at (850) 245-0668, or via email at Lorraine.Allen@fldoe.org or Judy Bishop, Program Specialist, Office of Safe and Healthy Schools by telephone at (850) 245-0677, or via email at Judy.Bishop@fldoe.org.

JW/lha

Attachment

cc: Student Services Director
Safe and Drug-Free Schools Coordinators