



Community Education Council 31

Department of Education of the City of New York



Sam T. Pirozzolo, *President* Frank Squicciarini, *1st V.P.* Steven Beck, *2nd V.P.* Michael Reilly, *Rec. Secretary* Peter Calandrella, *Treasurer*

Council Members:
Tamica M. Fairley
John Harkins
Ting Lei
Franca Okeiche
Rhonda Whitfield

Community Superintendent:
Erminia Claudio

December 6, 2011

The following resolution was presented to the public at the Community Education Council 31 (CEC 31) Calendar Meeting held on December 5, 2011 at Intermediate School 7, Staten Island, New York. A vote was taken and the resolution approved unanimously by the CEC members present, as reflected in the Minutes.

Resolution #70 – CEC 31 REQUESTS AMENDING CHANCELLOR’S REGULATION A-412, SECTION V (D) REGARDING CELL PHONES

WHEREAS, Chancellor’s Regulation A-412 strictly prohibits students from bringing cellular phones onto NYC public school property; and

WHEREAS, Community Education Council 31 (CEC 31) believes that the current Department of Education (DoE) policy banning cell phones puts students at a safety disadvantage since many children travel to and from school via public transportation; and

WHEREAS, there is a lack of existing public pay telephones and CEC 31 is concerned for the safety of students, especially in light of recent incidents such as:

- In July 2011, an 8-year old boy was kidnapped and brutally murdered while traveling home from school in Brooklyn. Mayor Michael Bloomberg said the following during a radio broadcast four days after the incident, “*If you want to have something that a parent can know where their child is - cell phones. A lot of the smartphones have that technology.*”
- In November 2011, a Westhampton, New Jersey school bus driver was arrested for driving under the influence of alcohol with middle school students on board; the students alerted their parents and police using their cell phones.
- In 2009 there were several incidents of female Tottenville High School students being followed and harassed by a male exposing himself, and because these students were not in possession of cell phones, they were not able to quickly notify the NYPD and instead had to knock on local resident’s doors and request assistance.

CEC 31 believes a student without a cell phone is at a disadvantage in emergency situations; and

WHEREAS, while CEC 31 acknowledges that the *Unannounced Scanning Program* (a joint effort between the NYPD and the DoE) consisting of mobile scanners and metal detectors randomly rotating between NYC public middle and high schools may be necessary and proper to reduce the occurrence of weapons in schools; however, the unannounced scanning has often resulted in confiscation of student cell phones as the only violations found; and

WHEREAS, when a student subject to the unannounced scanning procedure is identified to have a cellular phone in their possession a DOE employee confiscates the cellular phone and the parent/guardian is notified to come and retrieve the cellular phone; and

(continued on next page)

715 Ocean Terrace, Staten Island, New York 10301
Phone: 718-420-5746 ♦ Fax: 718-420-5745

Website: www.CEC31.org
E-Mail: CEC31@schools.nyc.gov

WHEREAS, CEC 31 believes that the process of identifying and confiscating student cell phones even if powered off and in backpacks during unannounced scanning operations creates undue hardship; and

WHEREAS, the unannounced scanning procedure routinely delays morning arrival for the students by 45 minutes or more which often results in students missing breakfast and their first period class; **therefore be it**

RESOLVED, that CEC 31 requests that Chancellor's Regulation A-412 be amended to permit students to possess cellular phones on NYC school property under the following conditions:

- 1) Cell phones must remain powered off while on school property
- 2) Cell phones must remain secured in a student's backpack or pocket
- 3) If a cell phone is observed in view on school property it will be confiscated and a parent/guardian will be notified and required to retrieve it.
- 4) Violations of the cell phone policy will result in appropriate action detailed in the DoE Disciplinary Code.

EXPLANATION: *Amending Chancellor's Regulation A-412 will facilitate student safety and the efficiency of the Unannounced Scanning Program by reducing the scanning procedure time. Students will be able to attend breakfast or their first period class where they are often now late or absent due to cell phone confiscations during scanings. The Unannounced Scanning Program will maintain its integrity by concentrating on identifying weapons in schools. This will also help alleviate parents' safety concerns regarding their children's travel to and from school.*

APPROVED UNANIMOUSLY by roll-call vote of all members present: **8 YES; 0 NO** – (Absent for vote: Harkins, Whitfield)

PASSED and ADOPTED this 5th Day of December, 2011.

/s/ Kathy Baldassano

Kathy Baldassano, Administrative Assistant, CEC 31