

Policy 5131.8: Mobile Communication Devices

Status: ADOPTED

Original Adopted Date: 10/01/2019 | **Last Revised Date:** 08/01/2026 | **Last Reviewed Date:** 08/01/2026

CSBA NOTE: The following policy is mandated and may be revised to reflect district practice. Pursuant to Education Code 48901.7, the Governing Board is required to adopt a policy that limits or prohibits student use of smartphones while at a school site or under the supervision and control of district employee(s), and subsequently, to update the policy every five years. Additionally, Education Code 48901.7 requires the development of the policy to include significant stakeholder participation in order to ensure that the policy is responsive to the unique needs and desires of students, parents/guardians, and educators in each community. Such participation may occur at Board meetings, school site council meetings, or other appropriate meetings, in order to receive stakeholder input.

Education Code 48901.5 authorizes the district to regulate, while on campus, attending school-sponsored activities, or under the supervision and control of school district employees, student possession or use of electronic signaling devices that operate through the transmission or receipt of radio waves. However, no student is prohibited from possessing or using an electronic signaling device that is determined by a licensed physician and surgeon to be essential for the health of the student, the use of which is limited to purposes related to the health of the student.

The U.S. Department of Education's 2024 guidance, "Planning Together: A Playbook for Student Personal Device Policies," provides districts guidance for adopting policies around the use of cellphones and personal devices on campus.

Additionally, the U.S. Surgeon General's Advisory, "Surgeon General's Warning on the Harms of Screen Use: An advisory and toolkit on how to protect children and adolescents," provides that healthy screen use in children includes (1) delaying access to tablets, smartphones, and social media as long as possible and (2) implementing, evaluating, and measuring the impacts of bell-to-bell school cell phone policy restrictions to minimize screen time during the school day.

In addition, the UC|CSU Collaborative for Neuroscience, Diversity, and Learning's, "Strengthening K-12 Cellphone Policies to Support Student Learning and Well-Being: Research-Based Guidance for U.S. Education Leaders," provides that (1) cellphones in classrooms can be both distracting and valuable, (2) students need support in building healthy digital habits, (3) the impact of phone and social media use on mental health depends on how it is used, with the potential for both harmful and beneficial impact on well-being, and (4) the risks and benefits of cellphone use are not uniform. The publication also includes core policy elements for K-12 education leaders, which districts may find helpful when revising this policy to reflect district practice, the grade levels served, and the unique needs and desires of district schools.

The Governing Board recognizes that student use of smartphones and other mobile communication devices on campus may have beneficial as well as harmful and disruptive effects on student learning and well-being, and on the instructional program. When on campus or when under the supervision of district employees, students may use smartphones and other mobile communication devices only as permitted under this policy.

CSBA NOTE: The following two options offer different approaches to regulate the use of smartphones and other mobile communication devices. Districts should choose the option below, or revise the following, to reflect the needs of the community, district practice, school location, and student demographics such as age and grade level.

Option 1, below, limits the use of smartphones and other mobile communication devices to noninstructional time. Option 2, below, prohibits the use of smartphones and other mobile communication devices while at a school site or under the supervision and control of a district employee.

Option 1: (Limited use of smartphones and other mobile communication devices)

Students may, subject to this Board policy, use smartphones or other mobile communication devices on campus during noninstructional time as long as the device is utilized in accordance with law and any applicable school rules.

Mobile communication devices shall be turned off during instructional time.

End Option 1

Option 2: (Prohibited use of smartphones and other mobile communication devices)

Students shall not use smartphones or other mobile communication devices while at a school site or under the supervision and control of a district employee.

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The Governing Board recognizes that student use of smartphones and other mobile communication, digital, and entertainment devices on campus may be beneficial to student learning and well-being, and could be harmful and disruptive of the instructional program in some circumstances. When on campus or when under the supervision of district employees, students may use smartphones and other mobile communication devices only as permitted under this policy.

Students shall not use smartphones and other mobile communication, digital, and entertainment devices while at a school site or under the supervision and control of a district employee.

However, a student shall not be prohibited from possessing or using a mobile communication device under any of the following circumstances: (Education Code 48901.5, 48901.7)

1. In the case of an emergency, or in response to a perceived threat of danger
2. When a teacher or administrator grants permission to the student to possess or use a mobile communication device, subject to any reasonable limitation imposed by that teacher or administrator
3. When a licensed physician or surgeon determines that the possession or use is necessary for the student's health and well-being
4. When the possession or use is required by the student's individualized education program or by the student's 504 plan.

The Superintendent or designee may undertake measures or strategies in accordance with law to limit student access to smartphones and other mobile communication, digital, and entertainment devices on campus. (Education Code 48901.7)

Smartphones and other mobile communication, digital, and entertainment devices shall not be used in any manner that infringes on the privacy rights of any other person.

A student's personal electronic device shall not be searched without the consent of the student's parent/guardian, except pursuant to a lawfully issued warrant, when a school official, in good faith, believes that an emergency involving danger of death or serious physical injury to the student or others requires access to the electronic device information, or when the search is otherwise permitted pursuant to Penal Code 1546.1.

When a student uses a mobile communication device in an unauthorized manner while at a school site or under the supervision and control of a district employee, the student may be disciplined, and the district employee may temporarily confiscate the device. The employee shall store the device securely until it is returned to the student or turned over to the principal or designee, as appropriate.

A student may also be subject to discipline, in accordance with law, Board policy, or administrative regulation, for off-campus use of a mobile communication device that poses a threat or danger to the safety of students, staff, or district property or substantially disrupts school activities.

The district will not be responsible or liable for a student's mobile communication device, which is brought on campus or to a school activity and is lost, stolen, or damaged.

The Board shall review and, as necessary, update this policy at least once every five years. Any such review or update shall include significant stakeholder participation to ensure that the policy is responsive to the unique needs and

End Option 2

However, a student shall not be prohibited from possessing or using a mobile communication device under any of the following circumstances: (Education Code 48901.5, 48901.7)

1. When a teacher or administrator grants permission to the student to possess or use a mobile communication device, subject to any reasonable limitation imposed by that teacher or administrator
2. When a licensed physician or surgeon determines that the possession or use is necessary for the student's health and well-being
3. When the possession or use is required by the student's individualized education program

CSBA NOTE: Districts should choose Option 1 or Option 2 below irrespective of which option the district chose above. Education Code 48901.7 specifies circumstances in which the district is not permitted to prohibit student use of smartphones and other mobile communication devices. However, pursuant to Education Code 48901.7, as amended by AB 962 (Ch. 284, Statutes of 2025), a student may be prohibited from possessing or using a smartphone in the case of an emergency or in response to a perceived threat of danger, if explicitly addressed in the comprehensive school safety plan (CSSP).

Option 1, below, is for districts that do not prohibit students from possessing or using a smartphone or other mobile communication device in the case of an emergency or in response to a perceived threat of danger. Option 2, below, is for districts that prohibit students from possessing or using a smartphone or other mobile communication device in the case of an emergency or in response to a perceived threat of danger, and have specifically addressed such in the CSSP. For more information on CSPPs, see BP/AR 0450 - Comprehensive Safety Plan.

Option 1: (Students are not prohibited from possessing/using smartphones or other mobile communication devices during emergency/response to a perceived threat of danger)

Additionally, a student shall not be prohibited from possessing or using a smartphone or other communication device in the case of an emergency or in response to a perceived threat of danger. (Education Code 48901.7)

End Option 1

Option 2: (Students are prohibited from possessing/using smartphones or other mobile communication devices during emergency/response to a perceived threat of danger)

However, a student shall be prohibited from possessing or using a smartphone or other communication device in the case of an emergency or in response to a perceived threat of danger, with the prohibited possession and use explicitly addressed in the comprehensive school safety plan. (Education Code 48901.7)

End Option 2

CSBA NOTE: Pursuant to Education Code 48901.7, the district's policy may include enforcement mechanisms that limit student access to smartphones. However, the district is not permitted to monitor, collect, or otherwise access any information related to a student's online activities.

The Superintendent or designee may undertake measures or strategies in accordance with law, to limit student access to smartphones and other mobile communication devices on campus. (Education Code 48901.7)

Smartphones and other mobile communication devices shall not be used in any manner which infringes on the privacy rights of any other person.

CSBA NOTE: Penal Code 1546.1 prohibits warrantless searches of students' personal electronic devices such as mobile phones, except in the circumstances specified in the following paragraph. Additionally, a search of a student's personally owned mobile communication device may be subject to the Fourth Amendment of the U.S. Constitution, which prohibits unreasonable search and seizure. For more information regarding circumstances under which the search of an individual student may be authorized, see BP/AR 5145.12 - Search and Seizure. It is recommended that the district consult CSBA's District and County Office of Education Legal Services or district legal counsel with questions related to the search of a student's mobile communication device.

A student's personal electronic device shall not be searched without the consent of the student's parent/guardian, except pursuant to a lawfully issued warrant, when a school official, in good faith, believes that an emergency

involving danger of death or serious physical injury to the student or others requires access to the electronic device information, or when the search is otherwise permitted pursuant to Penal Code 1546.1.

When a student uses a mobile communication device in an unauthorized manner while at a school site or under the supervision and control of a district employee, the student may be disciplined in accordance with Board Policy/Administrative Regulation 5144 - Discipline, Board Policy/Administrative Regulation 5144.1 - Suspension and Expulsion/Due Process, and Administrative Regulation 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities). Additionally, the district employee may temporarily confiscate the device, in which case the employee shall store the device securely until it is returned to the student or turned over to the principal or designee, as appropriate.

CSBA NOTE: The following optional paragraph addresses students' off-campus conduct during nonschool hours. In general, courts have upheld districts' discipline of students for off-campus conduct that posed a threat to the safety of other students, staff, or school property or presented a risk of substantial disruption of school activities, provided that the district was able to document the impact or disruption that the conduct had, or could be expected to have, on school activities.

Pursuant to Education Code 48900, districts have the authority to suspend or expel students who engage in cyberbullying off campus, provided that the act meets the criteria specified in the definition of "bullying" in Education Code 48900, which are a severe or pervasive physical or verbal act or conduct that has or can be reasonably predicted to have the effect of placing a reasonable student in fear of harm to the student's person or property, causing a substantially detrimental effect on the student's physical or mental health, causing substantial interference with the student's academic performance, or causing substantial interference with the student's ability to participate in or benefit from school services, activities, or privileges. For more information regarding bullying, including cyberbullying, see BP 5131.2 - Bullying.

In adopting policy related to off-campus conduct, it is recommended that districts consult CSBA's District and County Office of Education Legal Services or district legal counsel to ensure that the policy does not violate students' First Amendment rights to freedom of speech or expression. For more information regarding freedom of speech or expression, see BP 5145.2 - Freedom of Speech/Expression.

In addition, a student may be subject to discipline, in accordance with law, Board policy, or administrative regulation, for off-campus use of a mobile communication device which poses a threat or danger to the safety of students, staff, or district property or substantially disrupts school activities.

The district is not responsible or liable for a student's mobile communication device which is brought on campus or to a school activity and is lost, stolen, or damaged.

The Board shall review and, as necessary, update this policy at least once every five years. Any such review or update shall include significant stakeholder participation to ensure that the policy is responsive to the unique needs and desires of students, parents/guardians, and educators. (Education Code 48901.7)

desires of the school community.
