

Policy 5131.8: Mobile Communication Devices

Status: DRAFT

Original Adopted Date: 04/08/2026 | **Last Reviewed Date:** 09/09/2026

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.

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.

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 and **504 plans**.

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)

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.

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.

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)

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the Governing Board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State

5 CCR 300-307

Civ. Code 1714.1

Ed. Code 200-280

Ed. Code 32280-32289.6

Ed. Code 35181

Ed. Code 35291-35291.5

Ed. Code 44807

Ed. Code 48900-48926

Ed. Code 48901.5

Ed. Code 48901.7

Ed. Code 48901.8

Ed. Code 51512

Pen. Code 1546.1

Pen. Code 288.2

Pen. Code 313

Pen. Code 647

Pen. Code 653.2

Veh. Code 23123-23124

Description

[Duties of students](#)

[Liability of parent/guardian for act of willful misconduct by a minor](#)

[Prohibition of discrimination](#)

[School safety plans](#)

[Governing board authority to set policy on responsibilities of students](#)

[Rules](#)

[Teachers' duty concerning conduct of students](#)

[Suspension and expulsion](#)

[Prohibition of electronic signaling devices](#)

[Limitation or prohibition of student use of smartphones](#)

[Limitation or prohibition of student use of social media](#)

[Prohibited use of electronic listening or recording device](#)

[Electronic Communications Privacy Act](#)

[Harmful matter with intent to seduce](#)

[Harmful matter](#)

[Use of camera or other instrument to invade person's privacy; misdemeanor](#)

[Electronic communication devices; threats to safety](#)

[Prohibitions against use of electronic devices while driving](#)

Federal

20 USC 1681-1688

Description

[Title IX of the Education Amendments of 1972; discrimination based on sex](#)

Management Resources

California Department of Education Publication

Court Decision

Court Decision

Court Decision

Court Decision

Court Decision

CSBA Publication

CSBA Publication

Description

[Bullying at School, 2003](#)

[Safford Unified School District V. Redding \(2009\) 557 US 364](#)

[Mahanoy Area School District v. B.L. \(2021\) 594 U.S. 180](#)

[J.C. v. Beverly Hills Unified School District \(2010\) 711 F.Supp.2d 1094](#)

[New Jersey v. T.L.O. \(1985\) 469 U.S. 325](#)

[Tinker v. Des Moines Independent Community School District \(1969\) 393 U.S. 503](#)

[Cyberbullying: Policy Considerations for Boards, Policy Brief, rev. July 2010](#)

[Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011](#)

Management Resources

U.S. Department of Education Publication

U.S. Surgeon General Advisory

UC-CSU Collab Neuroscience, Diversity & Learning

Website

Website

Website

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Website

Description

[Planning Together: A Playbook for Student Personal Device Policies, December 2024](#)

[Surgeon General's Warning on the Harms of Screen Use: An advisory and toolkit on how to protect children and adolescents, 2026](#)

[Strengthening K-12 Cellphone Policies to Support Student Learning and Well-Being: Research-Based Guidance for U.S. Education Leaders, 2025](#)

[The UC|CSU Collaborative for Neuroscience, Diversity, and Learning](#)

[CSBA District and County Office of Education Legal Services](#)

[Center for Safe and Responsible Internet Use](#)

[National School Safety Center](#)

[California Department of Education, Safe Schools](#)

[U.S. Department of Education](#)

[CSBA](#)

Cross References

0450

[Comprehensive Safety Plan](#)

0450

[Comprehensive Safety Plan](#)

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[Conduct](#)

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[Conduct - Elementary Plan](#)

5131.2

[Bullying](#)

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[Student Disturbances](#)

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[Student Disturbances](#)

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[Academic Honesty](#)

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[Academic Honesty](#)

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[Positive School Climate](#)

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[Suicide Prevention](#)

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[Suicide Prevention](#)

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5144.1

[Suspension And Expulsion/Due Process](#)

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[Suspension And Expulsion/Due Process](#)

5144.2

[Suspension And Expulsion/Due Process \(Students With Disabilities\)](#)

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[Search And Seizure](#)

5145.12

[Search And Seizure](#)

5145.2

[Freedom Of Speech/Expression](#)

5145.2

[Freedom Of Speech/Expression](#)

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[Individualized Education Program](#)

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[Individualized Education Program](#)

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[Student Use Of Technology](#)

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