

TITLE: Mobile Communication Devices

Approved by: <u>Rob Gregor</u> <i>Rob Gregor, Superintendent of Schools</i>	Series: Students Version: 1 Effective Date: 1/15/2025 Previous Policy Date: New Revised By: Committee Policy Number: SP 5131.8
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Yuba County Office of Education (YCOE) recognizes that the use of smartphones and other mobile communication devices on campus may be beneficial to student learning and well-being but could be disruptive of the instructional program in some circumstances. YCOE permits limited use of mobile communication devices on campus in accordance with law and the following policy.

Students may use cell phones, smart watches, pagers, or other mobile communication devices on campus during noninstructional time as long as the device is utilized in accordance with law and any rules that individual school sites may impose.

Mobile communication devices shall be turned off during instructional time. 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

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

When a school official reasonably suspects that a search of a student's mobile communication device will turn up evidence of the student's violation of the law or school rules, such a search shall be conducted in accordance with SP/AR 5145.12 - Search and Seizure.

When a student uses a mobile communication device in an unauthorized manner, the student may be disciplined and a YCOE employee may 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, superintendent 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 Superintendent or designee shall inform students that YCOE will not be responsible for a student's mobile communication device which is brought on campus or to a school activity and is lost, stolen, or damaged.

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 board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State	Description
5 CCR 300-307	Duties of students
Civ. Code 1714.1	Liability of parent or guardian for act of willful misconduct by a minor
Ed. Code 35181	Governing board authority to set policy on responsibilities of students
Ed. Code 35291-35291.5	School discipline rules
Ed. Code 44807	Duty concerning conduct of students
Ed. Code 48900-48925	Suspension and expulsion
Ed. Code 48901.5	Prohibition of electronic signaling devices
Ed. Code 48901.7	Limitation or prohibition of student use of cell phones
Ed. Code 51512	Prohibited use of electronic listening or recording device
Pen. Code 288.2	Harmful matter with intent to seduce
Pen. Code 313	Harmful matter
Pen. Code 647	Use of camera or other instrument to invade person's privacy; misdemeanor
Pen. Code 653.2	Electronic communication devices, threats to safety
Veh. Code 23123-23124	Prohibitions against use of electronic devices while driving
Management Resources	Description
California Department of Education Publication	Bullying at School, 2003
Court Decision	Tinker v. Des Moines Independent Community School District, (1969) 393 U.S. 503
Court Decision	New Jersey v. T.L.O. (1985) 469 U.S. 325
Court Decision	J.C. v. Beverly Hills Unified School District, (2010) 711 F.Supp.2d 1094
CSBA Publication	Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011
CSBA Publication	Cyberbullying: Policy Considerations for Boards, Policy Brief, rev. July 2010

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[National School Safety Center](#)
[Center for Safe and Responsible Internet Use](#)
[California Department of Education, Safe Schools](#)