

Students

MOBILE COMMUNICATION DEVICES

The Governing Board recognizes that student use of smartphones and other mobile communication 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.

Prohibited use of smartphones and other mobile communication devices

Students shall not use mobile communication devices (e.g. smartphones, smartwatches, wearable technology, etc.) while at school sites, or under the supervision and control of a district employee, however the following exceptions are allowed: (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

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 receive consequences 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 which poses a threat or danger to.

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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 desires of the school community.

Legal Reference:**State**

Civ. Code 1714.1
Ed. Code 200-270
Ed. Code 32280-32289.5

Ed. Code 35181
Ed. Code 35291-35291.5
Ed. Code 44807
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

Federal

20 USC 1681-1688

Management Resources

California Department of
Education Publication
Court Decision
Court Decision

Court Decision

Description

[Liability of parent or 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](#)
[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](#)

Description

Title IX of the Education Amendments of 1972; discrimination based on sex

Description

[Bullying at School, 2003](#)

Safford Unified School District V. Redding (2009) 557 US 364
Mahanoy Area School District v. B.L. (2021) 141 S.Ct. 2038

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

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Legal Reference:

Management Resources**Description**

Court Decision

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

Court Decision

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

CSBA Publication

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

CSBA Publication

[Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011](#)U.S. Department of
Education Publication[Planning Together: A Playbook for Student Personal Device Policies, December 2024](#)

Website

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

Website

[National School Safety Center](#)

Website

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

Website

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

Website

[CSBA](#)

Website

[U.S. Department of Education](#)**WESTMINSTER SCHOOL DISTRICT**

Policy Adopted: June 12, 2025

Westminster, California