

Series 5000 – Students

SP 5131.8

TITLE: Mobile Communication Devices

Approved by: Rob Gregor
Rob Gregor, Superintendent of Schools

Series: **Students**
Version: **2**
Effective Date: **09/22/2026**
Previous Policy **01/15/2025**
Revised By: **Committee**
Policy Number: **SP 5131.8**

Yuba County Office of Education (YCOE) 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 county office of education (YCOE) employees, students may use smartphones and other mobile communication devices only as permitted under this policy.

Students may, subject to this County 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.

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.

Measures or strategies may be undertaken in accordance with law to limit student access to smartphones and other mobile communication devices on campus. (Education Code 48901.7)

Smartphones, smart devices, 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 smartphone, smart device, or mobile communication device in an unauthorized manner while at a school site or under the supervision and control of a YCOE employee, the student may be disciplined in accordance with law. Additionally, the device may be temporarily confiscated, in which case the device shall be stored securely until it is returned to the student or turned over to the principal or other site administrator, or designee, as appropriate.

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

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

YCOE 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 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 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

Federal

20 USC 1681-1688

Management Resources

California Department of Education Publication
Court Decision
Court Decision
Court Decision
Court Decision
Court Decision
CSBA Publication
CSBA Publication

Description

Duties of students
[Liability of parent/guardian for act of willful misconduct by a minor](#)
[Prohibition of discrimination](#)
[School safety plans](#)
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

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
[J.C. v. Beverly Hills Unified School District \(2010\) 711 F.Supp.2d 1094](#)
Tinker v. Des Moines Independent Community School District (1969) 393 U.S. 503
Mahanoy Area School District v. B.L. (2021) 594 U.S. 180
New Jersey v. T.L.O. (1985) 469 U.S. 325
[Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011](#)
[Cyberbullying: Policy Considerations for Boards, Policy Brief, rev. July 2010](#)

U.S. Department of Education Publication	Planning Together: A Playbook for Student Personal Device Policies, December 2024
U.S. Surgeon General Advisory	Surgeon General's Warning on the Harms of Screen Use: An advisory and toolkit on how to protect children and adolescents, 2026
UC CSU Col. for Neuroscience,Diversity,&Learning	Strengthening K-12 Cellphone Policies to Support Student Learning and Well-Being: Research-Based Guidance for U.S. Education Leaders, 2025
Website	UC CSU Collaborative for Neuroscience, Diversity, and Learning
Website	CSBA District and County Office of Education Legal Services
Website	U.S. Department of Education
Website	National School Safety Center
Website	CSBA
Website	Center for Safe and Responsible Internet Use
Website	California Department of Education, Safe Schools

Cross References

Code	Description
0450	Comprehensive Safety Plan
0450	Comprehensive Safety Plan
5131	Conduct
5131.2	Bullying
5131.2	Bullying
5131.4	Student Disturbances
5131.4	Student Disturbances
5131.9	Academic Honesty
5137	Positive School Climate
5141.52	Suicide Prevention
5141.52	Suicide Prevention
5144	Discipline
5144	Discipline
5144.1	Suspension And Expulsion/Due Process
5144.1	Suspension And Expulsion/Due Process
5144.2	Suspension And Expulsion/Due Process (Students With Disabilities)
5145.12	Search And Seizure
5145.12	Search And Seizure
5145.12-E(1)	Search And Seizure
5145.2	Freedom Of Speech/Expression
5145.2	Freedom Of Speech/Expression
6159	Individualized Education Program
6159	Individualized Education Program
6163.4	Student Use Of Technology
6163.4-E(1)	Student Use Of Technology