San Bernardino County Superintendent of Schools
Policy 5131.8

MOBILE COMMUNICATION DEVICES

The San Bernardino County Superintendent of Schools (SBCSS) recognizes that research has shown excessive use of smartphones and other mobile communication devices among youth may contribute to increased anxiety, depression, and other mental health concerns. Additionally, using these devices can disrupt the instructional program and interfere with student learning. To promote student well-being and maintain an effective learning environment, SBCSS limits the use of smartphones and other mobile communication devices on campus and while students are under the supervision of SBCSS employees, in accordance with law and this policy.

For purposes of this policy, "mobile communication devices" include smartphones and any personal electronic device capable of communication, internet connectivity, recording, transmitting, receiving, or storing text, audio, video, images, or other digital information, including but not limited to smartwatches, tablets, wireless earbuds or headphones, smart glasses, and similar technologies.

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

Mobile communication devices shall be turned off during instructional time. School sites may require that devices be stored or secured. 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 when declared by school staff.

2. When a teacher or administrator grants permission to the student to possess or use a mobile communication device for instructional purposes, subject to any reasonable limitation imposed by that teacher or administrator.

3. When a licensed physician or surgeon determines that possession or use is necessary for the student's specific medical needs and use of which is limited only to purposes related to the health of the student. School adminstration shall be notified in advance of the medical necessity, and the student shall obtain

expressed advance authorization for these purposes.

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. It is illegal to audio record confidential communication without consent (Penal Code § 632(a)). Further, it is a misdemeanor to use electronic listening or recording devices in a classroom without the knowledge and consent of the teacher and principal, and such consent may only be given to promote an educational purpose (Education Code 51512).

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 while under the supervision and control of an SBCSS employee, the student may be subject to disciplinary action, and 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, SBCSS policy, or procedures, for off-campus use of a mobile communication device which poses a threat or danger to the safety of students, staff, or SBCSS property or substantially disrupts school activities.

SBCSS 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 Superintendent or designee shall review and, as necessary, update this policy at least once every five years. Any such review or update shall include educational partner participation to ensure that the policy is responsive to the unique needs and desires of the SBCSS community.

Approved: September 24, 2026