

MOBILE COMMUNICATION DEVICES

The Yolo County Governing Board recognizes that student 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. 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.

The County Board permits limited use of mobile communication devices on campus in accordance with law and the following policy.

Students may 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. 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 (cf. 6159 - 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 that 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

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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, and a Yolo County Office of Education 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 that poses a threat or danger to the safety of students, staff, or County Office property or substantially disrupts school activities.

The Yolo County Superintendent of Schools or designee shall inform students that the County Office 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.

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	<u>Liability of parent or guardian for act of willful misconduct by a minor</u>
Ed. Code 35181	Governing board authority to set policy on the responsibilities of students
Ed. Code 35291-35291.5	School discipline rules
Ed. Code 44807	Duty concerning the conduct of students
Ed. Code 48900-48925	Suspension and expulsion

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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 an electronic listening or recording device
Pen. Code 288.2	Harmful matter with the intent to seduce
Pen. Code 313	<u>Harmful matter</u>
Pen. Code 647	Use of a camera or other instrument to invade a person's privacy; misdemeanor
Pen. Code 653.2	<u>Electronic communication devices, threats to safety</u>
Veh. Code 23123-23124	Prohibitions against the 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	<u>Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011</u>
CSBA Publication	Cyberbullying: Policy Considerations for Boards, Policy Brief, rev. July 2010
Website	<u>National School Safety Center</u>
Website	<u>Center for Safe and Responsible Internet Use</u>
Website	<u>California Department of Education, Safe Schools</u>

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YOLO COUNTY OFFICE OF EDUCATION
Woodland, CA