

OAK PARK UNIFIED SCHOOL DISTRICT BOARD POLICY

Series 5000

Students

BP 5131.8(1)

Mobile Communication Devices

Mobile communication devices are defined as cell phones, smartphones, earphones/earbuds, tablets, gaming devices, smartwatches, smartglasses, or any other device that connects to the internet or a cellular network.

The Governing Board recognizes that student use of mobile communication devices on campus may be beneficial to student learning and well-being, yet could be harmful and disruptive to the instructional program in some circumstances. Research shows that excessive use of mobile communication devices is linked to increased anxiety, reduced attention span, heightened risk of depression, and lower academic performance.

This policy is also intended to promote student well-being by minimizing distractions, reducing reliance on social media, and supporting a healthier learning environment.

When on campus or when under the supervision of district employees, students may only use mobile communication devices as permitted under this policy.

To ensure consistency and developmental appropriateness, the following protocols shall be followed based on student grade level. Any exceptions granted by district employees must align with this policy and be implemented consistently across classrooms.

All students have access to a school office phone if they need to contact home during the school day.

Elementary Schools (Grades TK-5) – “Away for the Day”

Students in grades TK through 5 shall not use mobile communication devices during the school day, including during class time, recess, lunch, and passing periods. Devices must be turned off and stored in backpacks or other designated areas as specified by the classroom teacher or in school handbooks. Students may access their devices before and after school or in emergency situations, consistent with Education Code 48901.5 and 48901.7. For non-urgent matters, parents/guardians must contact the school office to communicate with their student.

Middle School (Grades 6-8) – “Away for the Day” Unless Permitted for Instructional Purposes

Students in grades 6-8 shall not use mobile communication devices during the school day, including during class time, recess, lunch, and passing periods, unless explicitly permitted by the teacher for instructional purposes. Devices must be turned off and stored in backpacks or other designated areas as specified by the classroom teacher or in school handbooks. Students may access their devices before and after school or in emergency situations, consistent with Education Code 48901.5 and 48901.7. For non-urgent matters, parents/guardians must contact the school office to communicate with their student.

High Schools (Grades 9-12) – “Distraction-Free Learning Environments”

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Students in grades 9 through 12 shall not use mobile communication devices during class time or any period designated for instruction, unless explicitly permitted by the teacher for instructional purposes. Students are also not permitted to use devices when leaving the classroom during instructional time (e.g., for restroom or office visits) unless explicitly authorized by a teacher or staff member. Devices may be used during non-instructional time, including before and after school, during passing periods, nutrition, and lunch. For non-urgent matters, parents/guardians must contact the school office to communicate with their student.

Mobile Communication Device Storage - High Schools (Grades 9-12)

Teachers shall implement classroom-specific procedures, such as phone pouches, designated storage areas, or require students to turn off their mobile communications devices to reduce distractions and maintain a focused learning environment.

Independent Study Program

Students enrolled in independent study programs, such as Oak Park Independent School, may use mobile communication devices during scheduled teacher meetings with permission. Teachers shall use discretion to determine whether and how device use supports instructional goals.

Access to Communication During the School Day

Students who need to contact a parent or guardian during the school day may request permission to use a school office phone. In emergency situations, or when a teacher or administrator determines that phone access is necessary for student safety, students may be permitted to keep their devices accessible. These exceptions are in accordance with Education Code 48901.5 and 48901.7 as listed below. 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

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)

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Mobile communication devices shall not be used in any manner which infringes on the privacy rights of others, including any use in restrooms and/or locker rooms.

Consequence for Unauthorized Use of a Mobile Communication Device

Unauthorized use of mobile communication devices may result in the following progressive consequences, at the discretion of the school site administrator

- First instance: Warning and phone returned to the student after class.
- Second instance: Phone held in the main office until the end of the day.
- Third instance: Phone returned only to a parent or guardian.
- Fourth instance: Student placed on a behavior contract.
- Repeated violations may result in loss of privilege to bring mobile devices to school or school-related events.

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 be disciplined, 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 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 stakeholder participation to ensure that the policy is responsive to the unique needs and desires of the school community.

Adopted: 1-21-20

Amended: 6-17-25

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Policy Reference:

State	Description
5 CCR 300-307	<u>Duties of students</u>
Civ. Code 1714.1	<u>Liability of parent or guardian for act of willful misconduct by a minor</u>
Ed. Code 200-270	<u>Prohibition of discrimination</u>
Ed. Code 32280-32289.5	<u>School safety plans</u>
Ed. Code 35181	<u>Governing board authority to set policy on responsibilities of students</u>
Ed. Code 35291-35291.5	<u>Rules</u>
Ed. Code 44807	<u>Teachers' duty concerning conduct of students</u>
Ed. Code 48900-48925	<u>Suspension and expulsion</u>
Ed. Code 48901.5	<u>Prohibition of electronic signaling devices</u>
Ed. Code 48901.7	<u>Limitation or prohibition of student use of smartphones</u>
Ed. Code 48901.8	Limitation or prohibition of student use of social media
Ed. Code 51512	<u>Prohibited use of electronic listening or recording device</u>
Pen. Code 1546.1	Electronic Communications Privacy Act
Pen. Code 288.2	<u>Harmful matter with intent to seduce</u>
Pen. Code 313	<u>Harmful matter</u>
Pen. Code 647	<u>Use of camera or other instrument to invade person's privacy; misdemeanor</u>
Pen. Code 653.2	<u>Electronic communication devices; threats to safety</u>
Veh. Code 23123-23124	<u>Prohibitions against use of electronic devices while driving</u>
Federal	Description
20 USC 1681-1688	Title IX of the Education Amendments of 1972; discrimination based on sex

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Management Resources

Description

California Department of Education
Publication

[Bullying at School, 2003](#)

Court Decision

Safford Unified School District V. Redding (2009) 557 US 364

Court Decision

Mahanoy Area School District v. B.L. (2021) 141 S.Ct. 2038

Court Decision

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

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](#)