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STUDENT CELL PHONE USE IN SCHOOL: A NEW LAW TO LIMIT, PROHIBIT, OR DO NOTHING

On July 1, 2019, Governor Newsom signed Assembly Bill (AB) 272 that adds section 48901.7 to the Education Code. AB 272 allows (but does not require) a school board to adopt a policy to limit or prohibit the use of smartphones by students while they are at school.

Several research studies, national and international, were reviewed and quoted in the text body of AB 272 with the general concern that unrestricted use of smartphones during the school day interferes with the educational mission of the schools, lowers student performance (particularly among low-achieving students), promotes cyberbullying, and contributes to an increase in teenage anxiety, depression, and suicide.

One study indicated that teenagers who spend three hours per day or more on electronic devices are 35 percent more likely to demonstrate risk factors for suicide, such as suicidal ideation, and teenagers who spend five or more hours per day on their devices are 71 percent more likely to demonstrate a risk factor for suicide. Another study from the London School of Economics and Political Science found that test scores improved significantly at schools that banned mobile phone use and in 2018, France adopted a nationwide smartphone ban in all primary and middle schools in order to promote student achievement and healthy social development. Closer to home, several Bay area districts have started using magnetic lock pouches called a “Yondr” that allow students to maintain possession of their smart phone or smart watch during school hours without actually being able to use them.

To be clear, many districts and county offices already have policies in place addressing student use of cell phones. CSBA’s Sample Board Policy 5131 contains optional language prohibiting student use of phones while in class, subject to certain exceptions. It is unclear to what degree these policies are used, if at all, throughout the various districts, but it is assumed that each educator has their own strategies for management of electronic devices in the classroom.

AB 272 takes effect January 1, 2020, and allows school districts to draft policies to limit or ban smart phone use (no mention of smart watches or other devices such as tablets) during school hours with the following specific exemptions:

- In an emergency;
- When a teacher or administrator grants permission for academic or other approved purpose;

- When a licensed physician determines that possession or use of a smartphone is necessary for the health and well-being of the student; or
- When needed by a student as part of the student's individualized education program.

With Education Code section 48901.5 already in place (since 1988) that allows school districts to limit “electronic signaling devices” at school, it is unclear what effect AB 272 will have on current practices other than to spread general awareness of a significant issue. Global research has shown unequivocally that unlimited access to electronic devices in school has a significant effect on student performance and well-being, but even with the passage of AB 272, it will still be up to the school districts themselves to determine what level of restriction is best for them. A full reading of AB 272 can be found at <http://leginfo.legislature.ca.gov>.

Please contact our office for any further clarification.

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