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| Book    | Policy Manual                         |
| Section | Section 5000 - Students               |
| Title   | PERSONAL MOBILE COMMUNICATION DEVICES |
| Code    | BP 5131.8                             |
| Status  | Active                                |
| Adopted | July 30, 2024                         |

The Governing Board recognizes that the use of personal smartphones and other mobile communication devices during school hours may be disruptive of the instructional program and negatively impact school culture and climate in some circumstances. The Board permits limited use of personal mobile communication devices on campus in accordance with law and the following policy.

Mobile communication devices such as smartphones, smart watches, smart glasses, gaming devices, wired and wireless headphones or other mobile communication devices shall be turned off (or on airplane mode if a smart watch) and put away during school hours. 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 an administrator grants permission to the student to possess or use a mobile communication device (including in designated areas), subject to any reasonable limitation imposed by that 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 (IEP) or 504 plan

Smartphones and other mobile communication devices shall not be used in any manner which infringes on the privacy rights of any other person. Students may not record audio, video, or take photographs of anyone without written permission on personal or district devices. Site administration may add additional rules and will create disciplinary procedures for infractions.

When a school official reasonably suspects that a search of a student's mobile communication device will turn up evidence of the student's violation of the law or school rules, such a search shall be conducted in accordance with BP/AR 5145.12 - Search and Seizure.

When a student uses a mobile communication device in an unauthorized manner, the student may be disciplined and a district employee may 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. Devices that have been confiscated for violations of the rules or the law will not be available to the student in case of a lock-down or other emergency.

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 may involve law enforcement at any time a student is suspected of breaking a law.

FSD assumes no responsibility for smartphones and mobile communication devices brought by students to school or District activities. FSD will not reimburse for any lost or stolen smartphones or mobile communication devices even if they are confiscated by staff.

**Legal References****State**

5 CCR 300-307

Civ. Code 1714.1

Ed. Code 200-262.4

Ed. Code 32280-32289.5

Ed. Code 35181

Ed. Code 35291-35291.5

Ed. Code 44807

Ed. Code 48900-48925

Ed. Code 48901.5

Ed. Code 48901.7

Ed. Code 51512

Pen. Code 288.2

Pen. Code 313

Pen. Code 647

Pen. Code 653.2

Veh. Code 23123-23124

**Description**

Duties of students

[Liability of parent or guardian for act of willful misconduct by a minor](#)[Prohibition of discrimination](#)[School safety plans](#)[Governing board authority to set policy on responsibilities of students](#)[Rules](#)[Teachers' duty concerning conduct of students](#)[Suspension and expulsion](#)[Prohibition of electronic signaling devices](#)[Limitation or prohibition of student use of cell phones](#)[Prohibited use of electronic listening or recording device](#)[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](#)**Federal**

20 USC 1681-1688

**Description**Title IX of the Education Amendments of 1972;  
discrimination based on sex