
SENATE COMMITTEE ON EDUCATION

Senator Connie Leyva, Chair

2019 - 2020 Regular

Bill No: AB 272 **Hearing Date:** June 5, 2019
Author: Muratsuchi
Version: April 11, 2019
Urgency: No **Fiscal:** No
Consultant: Lynn Lorber

Subject: Pupils: use of smartphones.

SUMMARY

This bill provides that a student shall not be prohibited from possessing or using a smartphone under specified circumstances, and authorizes governing bodies to adopt a policy to limit or prohibit the use of smartphones by students while at school.

BACKGROUND

Existing law:

- 1) Authorizes the governing board of each school district, or its designee, to regulate the possession or use of any electronic signaling device that operates through the transmission or receipt of radio waves, including but not limited to, paging and signaling equipment, by students of the school district while the students are on campus, while attending school-sponsored activities, or while under the supervision and control of school district employees. (Education Code § 48901.5)
- 2) Provides that no student shall be prohibited from possessing or using an electronic signaling device that is determined by a licensed physician and surgeon to be essential for the health of the student and use of which is limited to purposes related to the health of the student. (EC § 48901.5)

ANALYSIS

This bill:

- 1) Provides that a student shall not be prohibited from possessing or using a smartphone under any of the following circumstances, notwithstanding any policy adopted by a school governing body:
 - a) In the case of an emergency, or in response to a perceived threat of danger.
 - b) When a teacher or administrator grants permission, subject to any reasonable limitation imposed by that teacher or administrator.

- c) When a licensed physician and surgeon determines that the possession or use of a smartphone is necessary for the health or well-being of the student.
 - d) When the possession or use of a smartphone is required in a student's individualized education program (IEP).
- 2) Authorizes the governing body of a school district, county office of education, or a charter school to adopt a policy to limit or prohibit the use by its students of smartphones while the students are at a schoolsite or while students are under the supervision and control of an employee or employees of that school district, county office of education, or charter school.

STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, "There is growing evidence that unrestricted use of smartphones by students in schools interferes with the educational mission of the school, lowers pupil performance, particularly among low-achieving pupils, promotes cyberbullying, and contributes to teenage anxiety, depression, and suicide. According to the 2017 'Common Sense Census, Media use by kids ages 0-3,' 95 percent of families with kids aged 0-8 now have smartphones. This is up from 63 percent in 2013. With this increased smart phone usage amongst kids, there is a growing correlation with student mental health. Further, between 2009 and 2017, the number of 14- to 17-year olds experiencing clinical-level depression in the last year jumped more than 60 percent, with a 47 percent increase among 12- to 13-year olds. Teens that spend 5 or more hours a day on social media are twice as likely to be depressed as those not using social media."
- 2) ***Expands the reasons for which students must be allowed to use smartphones.*** Existing law provides that no student shall be prohibited from possessing or using an electronic signaling device that is determined by a licensed physician and surgeon to be essential for the health of the student and use of which is limited to purposes related to the health of the student. This bill expands the circumstances under which students must be allowed to use smartphones to include in the case of an emergency, when permission is granted by school personnel, and when a student's IEP requires the use of a smartphone.
- 3) ***Need authority to adopt policies?*** Existing law authorizes school districts, county offices of education and charter schools to regulate the possession or use of any electronic signaling device, which may limit or prohibit the use of smartphones in schools and during school-related activities. This bill authorizes the governing body of a school district, county office of education, or a charter school to adopt a policy to limit or prohibit the use by its students of smartphones while the students are at a schoolsite or while students are under the supervision and control of an employee or employees of that school district, county office of education, or charter school. This provision appears to be duplicative of existing law.

SUPPORT

California State PTA

OPPOSITION

None received

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