

# STUDENT SMARTPHONE USE POLICY

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## Table of Contents

I. Purpose:	1
II. Definitions:	1
III. Use of Smartphones During Instructional Time:	1
IV. Use of Smartphones During Non-Instructional Time:	2
V. Exceptions to Smartphone Use Restrictions:	2
VI. Policy Violations	2
VII. Staff Responsibility for Confiscated Smartphones:	2
VIII. Smartphone Data Privacy:	3
IX. Staff Training:	3

## I. Purpose:

Opportunities For Learning-Capistrano (“School”) recognizes that using smartphones may be beneficial to student learning and well-being but could also be disruptive to the School’s instructional program. The purpose of this policy is to limit or prohibit the use of smartphones by students while at a Opportunities For Learning-Capistrano Learning Center or under the supervision and control of an employee of the School in accordance with California Law– Education Code Section 48901.7. The development of this policy involved significant stakeholder participation to ensure that it is responsive to the unique needs of students, parents, and educators in our community. The Principal or designee will ensure that students and parents/guardians are informed of this policy annually. Additionally, this policy shall be reviewed and updated at least once every five (5) years.

## II. Definitions:

- A. **Smartphone** – for the purposes of this policy, a smartphone is defined as a mobile device that combines cellular and mobile computing functions, including internet access, app usage, and communication capabilities, such as voice calls, text messaging, and email.
- B. **Instructional Time** – is when the school is responsible for a student, and the student is expected to be actively engaged in a learning activity. Instructional time includes regular classroom lessons, required activities outside the classroom, and extra help like counseling, tutoring, or private meetings with teachers during or after school hours.
- C. **Non-Instructional Time** – is when a student is not expected to be actively engaged in a learning activity. Non-instructional time includes periods before entering or after exiting the Learning Center, as well as the dedicated lunch break.

## III. Use of Smartphones During Instructional Time:

During instructional time, students must (a) keep smartphones powered off or placed in “Airplane” mode and (b) store smartphones in the designated storage location. The School administrator will designate one (1) storage location to be used by all students at each Opportunities For Learning-Capistrano Learning Center, which may include phone pouches such as Yondr, Inc. pouches, a classroom phone holder, a locked storage unit, or backpacks.

## **IV. Use of Smartphones During Non-Instructional Time:**

School staff members may restrict student use of smartphones during non-instructional time at their discretion to support learning or prevent disruptions to the school environment. Students must comply with any request by a staff member to cease the use of a smartphone, even during non-instructional time.

## **V. Exceptions to Smartphone Use Restrictions**

Notwithstanding the above, a student shall not be prohibited from possessing or using a smartphone under any of the following circumstances in accordance with California Law – Education Code Section 48901.7(b):

- A. In the case of an emergency or in response to a perceived threat of danger. Students will be directed by staff on how to use smartphones during safety drills so that students may practice gaining access to a smartphone during an emergency situation.
- B. When a staff member grants permission to a student to possess or use the smartphone, subject to any reasonable limitation imposed by that staff member.
- C. When a licensed physician and/or surgeon determines that the possession or use of a smartphone is necessary for the health or well-being of the student, however, the use of the smartphone must be strictly limited to what is necessary for the student's health and well-being, as specified by the medical provider.
- D. When the possession or use of a smartphone is required in the student's Individualized Education Program (IEP).

## **VI. Policy Violations**

A student who violates this policy or otherwise engages in the unauthorized use of smartphones may be restricted from possessing a smartphone at the school site(s) and/or at any school activities.

Additionally, the student may be subject to disciplinary action in accordance with applicable law and the Opportunities For Learning-Capistrano Discipline Policy.

Unauthorized Use includes use of smartphones: (a) during instructional time or school activities without the permission of a teacher or administrator, (b) after school personnel has requested the student to cease using the smartphone, even during non-instructional time, (c) in any manner which is unlawful, inappropriate, harassing, or for purposes of cheating academically, or (d) in any manner which infringes on the privacy rights of any individual, poses a threat or danger to the safety of students, school personnel, or school property, or substantially disrupts school activities.

If a staff member witnesses a student engaging in the Unauthorized Use of a smartphone, the staff member shall have the discretion to exercise any of the following options:

- A. Direct the student to immediately turn off the smartphone and store it in its designated storage location.
- B. Confiscate the smartphone until the end of the instructional time, school day, or school activity.
- C. Confiscate the smartphone and turn it over to the School administrator (or designee). The School administrator or designee will determine when and how the smartphone will be returned, including, for example, requiring a parent/guardian/caregiver to pick it up from the school site.
- D. Recommend and/or initiate disciplinary action in accordance with the Opportunities For Learning-Capistrano Discipline Policy.

## **VII. Staff Responsibility for Confiscated Smartphones:**

School staff members will store confiscated smartphones in the designated, secured location. The School administrator will designate one (1) storage location to be used by all staff members at each

Opportunities For Learning-Capistrano Learning Center, which may include a locked room, storage area, or a locked drawer/cabinet.

While staff members will take reasonable measures to ensure the security of confiscated devices, Opportunities For Learning-Capistrano is not responsible for any loss, theft, or damage that may occur while the device is confiscated or otherwise handled by a staff member pursuant to the policy.

## **VIII. Smartphone Data Privacy:**

This policy does not authorize monitoring, collecting, or otherwise accessing any information related to a student's online activities in violation of California Law – Education Code Section 48901.7(c) or other applicable law.

## **IX. Staff Training:**

School staff members will receive comprehensive training on the newly established smartphone policy. This training will ensure that staff members are fully informed of the policy guidelines, enforcement procedures, and the rationale for its implementation.

Training sessions will be conducted at the beginning of each academic year and as needed throughout the school year. By equipping staff with the necessary knowledge and tools, Opportunities For Learning-Capistrano aims to create a supportive school environment that prioritizes academic success and student well-being.