

Date of Hearing: April 10, 2019

ASSEMBLY COMMITTEE ON EDUCATION
Patrick O'Donnell, Chair
AB 272 (Muratsuchi) – As Amended March 19, 2019

SUBJECT: Pupils: use of smartphones

SUMMARY: Requires the governing body of a school district, a county office of education, or a charter school to adopt a policy to limit or prohibit the use by its pupils of smartphones, except for a few exceptions. Specifically, **this bill**:

- 1) Requires the governing body of a school district, a county office of education, or a charter school to adopt a policy to limit or prohibit the use by its pupils of smartphones while the pupils are at a schoolsite or while the pupils are under the supervision and control of an employee or employees of that school district, county office of education or charter school.
- 2) Requires that a pupil not be prohibited from possessing or using a smartphone under any of the following circumstances:
 - a) In the case of an emergency, or in response to a perceived threat of danger.
 - b) When a teacher or administrator of the school district, county office of education, or charter school grants permission to a pupil to possess or use a smartphone, subject to any reasonable limitation imposed by that teacher or administrator.
 - c) When a licensed physician or surgeon determines that the possession or use of a smartphone is necessary for the health or well-being of the pupil.

EXISTING LAW:

- 1) Permits 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 pupils of the school district while the pupils are on campus, while attending school-sponsored activities, or while under the supervision and control of school district employees. (Education Code Section 48901.5)
- 2) Requires that no pupil may 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 pupil and use of which is limited to purposes related to the health of the pupil. (Education Code Section 48901.5)

FISCAL EFFECT: Unknown

COMMENTS: *Need for the bill.* According to the author, “Growing evidence shows excessive smartphone use at school interferes with education, encourages cyberbullying, and may have adverse effects on teenage mental health, including increased rates of depression and suicide. AB 272 will require school districts to adopt their own policies that strike a balance between

allowing appropriate student use of smartphones while making sure that smartphones are not interfering with a student's educational, social and emotional development.”

Use of technology. Student use of technology, including smartphones, is on the rise. A 2015 Pew Research report found that 73 percent of 13- to 17-year-olds had their own smartphones or had access to one, and 24 percent said they were online “almost constantly.” A 2015 Common Sense Media report and study, “Common Sense Census: Media Use by Tweens and Teens” found that teenagers (ages 13-18) use an average of nine hours of entertainment media per day and that tweens (ages 8-12) use an average of six hours a day, not including time spent using media for school or homework. Despite the significant amount of time teens and tweens spend with media, not all young people use media in the same way. The report identified a significant digital equality gap between low-income kids who are far less likely to have access to computers, tablets and smartphones than their wealthier peers. However, those low-income kids who do have access are more likely to spend more time on their devices than kids from more affluent families. The survey also found that half of teenagers felt addicted to their devices, and 78 percent checked their devices at least hourly. Seventy-two percent of teens felt pressured to respond immediately to texts, notifications and social media messaging.

Research is inconclusive on the connection between technology use and student mental health. According to a 2017 Pew Research report, “Anxiety and depression are on the rise among America’s youth and, whether they personally suffer from these conditions or not, seven-in-ten teens today see them as major problems among their peers. Concern about mental health cuts across gender, racial and socio-economic lines, with roughly equal shares of teens across demographic groups saying it is a significant issue in their community.”

Although opinions and research are mixed, many have suggested that there is likely a correlation between the increased use of technology and smartphone use and the increased rates of teenage anxiety and depression. A widely cited book by Dr. Jean Twenge, a professor of psychology at San Diego State, “iGen,” presents evidence of an increase in depression and suicide among American teenagers that may be caused by increased mobile device screen time and social media use. However, there is little conclusive research that suggests there is a causal relationship between the two.

Impact of smartphone use on student achievement, and the use of smartphones in schools. Similarly, there is little conclusive research regarding student personal smartphone use during the school day for both personal or school-related use, and the corresponding impacts on academic achievement. There is an increasing body of research on the impact of technology on student outcomes, but little consensus has been reached.

A 2015 Discussion Paper from the London School of Economics and Political Science, Center for Economic Performance, “Ill Communication: Technology, Distraction and Student Performance” studied four English city school systems that had banned cell phone use in schools in 2013. The authors of the paper found that student test scores improve by 6.41% of a standard deviation when schools banned cell phone use. The effect was driven by the most disadvantaged and underachieving pupils. Students in the lowest quartile of prior achievement gained 14.23% of a standard deviation, while, students in the top quartile were neither positively nor negatively affected by a phone ban. The results suggest that low-achieving students are more likely to be distracted by the presence of mobile phones, while high achievers can focus in the classroom regardless of the mobile phone policy.

Governing body smartphone policies. Current law permits the governing body of a school district, county office of education or charter school to regulate the possession or use of any electronic signaling device that operates through the transmission of radio waves, which includes smartphones. Many local educational agencies have adopted policies in accordance with current law that restrict or prohibit students' use of smartphones. The California School Boards Association's (CSBA) sample board policy on student conduct includes information about smartphone use, which is intended to be reviewed, modified and adopted to match the policies of each governing board includes the following suggested language, in pertinent part, "Use of a cellular/digital telephone, pager, or other mobile communications device during instructional time: Such devices shall be turned off in class, except when being used for a valid instructional or other school-related purpose as determined by the teacher or other district employee, and at any other time directed by a district employee. Any device with camera, video, or voice recording function shall not be used in any manner which infringes on the privacy rights of any other person."

The Committee may wish to consider if this bill is necessary. Current law permits school districts, county offices of education and charter schools to adopt policies which may limit or prohibit the use of smartphones in schools and during school-related activities, and that there is little conclusive, peer-reviewed research related to the student mental health and academic impact of smartphone use in schools.

Staff recommend this bill be amended to permit, rather than require, the governing body of a school district, a county office of education, or a charter school to adopt a policy regarding smartphone use in schools. Further, staff recommend the bill include a provision that allows a student whose individualized education plan (IEP) includes use of a smartphone to not be prohibited from possessing or using a smartphone.

REGISTERED SUPPORT / OPPOSITION:

Support

None on file.

Opposition

None on file.

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