

Date of Hearing: April 3, 2024

ASSEMBLY COMMITTEE ON EDUCATION
Al Muratsuchi, Chair
AB 3216 (Hoover) – As Amended March 11, 2024

SUBJECT: Pupils: use of smartphones

SUMMARY: Requires the governing body of a school district, a county office of education (COE), or a charter school to adopt a policy to limit or prohibit the use by its pupils of smartphones, except in specified circumstances. Specifically, **this bill:**

- 1) Requires, no later than July 1, 2026, the governing body of a school district, a COE, 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, COE, or charter school.
- 2) Requires a pupil to 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, COE, 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 and surgeon determines that the possession or use of a smartphone is necessary for the health or well-being of the pupil; and
 - d) When the possession or use of a smartphone is required in a pupil's individualized education program (IEP).

EXISTING LAW:

- 1) Authorizes the governing body of a school district, a COE, 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, COE, or charter school. Requires a pupil to not be prohibited 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, COE, 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 and surgeon determines that the possession or use of a smartphone is necessary for the health or well-being of the pupil; and

- d) When the possession or use of a smartphone is required in a pupil's individualized education program. (Education Code (EC) 48901.7)
- 2) 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. (EC 48901.5)
- 3) 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. (EC 48901.5)

FISCAL EFFECT: Unknown

COMMENTS:

Need for the bill. According to the author, “Extended studies have demonstrated that the use of smartphones in classrooms can detract from students’ academic performances while contributing to higher rates of academic dishonesty and cyberbullying. In consideration of California’s deficiency when it comes to academic performance as compared to other states, it is imperative for the legislature to take action to resolve this issue. AB 3216 will require local educational agencies (LEA’s) to implement a policy that prohibits the use of smartphones by their pupils while present at a schoolsite during operational hours. By doing so, LEA’s can confidently expect an increase in both the productivity and safety of their academic environments. This bill is a step in the right direction in enhancing the academic achievement and well-being of public school students in this state.”

Teenager use of technology. Teenager use of technology, including smartphones, is on the rise. A 2024 Pew Research report, *How Teens and Parents Approach Screen Time*, included a national survey of teenagers from ages 13- to 17-years old yielded the following results:

- 95% of teens have access to a smartphone;
- 72% of U.S. teens say they often or sometimes feel peaceful when they don’t have their smartphone; 44% say it makes them feel anxious;
- 38% of teens say they spend too much time on their smartphone. About a quarter say the same regarding their social media use, but the largest shares say the amount of time they spend on their phone (51%) or on social media (64%) is about right. Relatively few teens say they don’t spend enough time with these technologies. However, views on this differ by gender. Teen girls are more likely than boys to say they spend too much time on their smartphone (44% vs. 33%) or social media (32% vs. 22%);
- 69% of teens say smartphones make it easier for youth to pursue hobbies and interests; fewer (30%) say it helps people their age learn good social skills.

- Half of parents say they have looked through their teen’s phone; and
- About four-in-ten parents *and* teens report regularly arguing with one another about time spent on their phone.

According to a 2023 Gallup survey of more than 1,500 adolescents, *Familial and Adolescent Health*, over half of U.S. teenagers (51%) report spending at least four hours per day using a variety of social media apps such as YouTube, TikTok, Instagram, Facebook and X (formerly Twitter). Across age groups, the average time spent on social media ranges from as low as 4.1 hours per day for 13-year-olds to as high as 5.8 hours per day for 17-year-olds. Girls spend nearly an hour more on social media than boys (5.3 vs. 4.4 hours, respectively).

A Pew Research report, *U.S. Smartphone Use in 2018*, found that 45% 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 equity 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% checked their devices at least hourly. Nearly three quarters of teens felt pressured to respond immediately to texts, notifications and social media messaging.

A growing body of peer-reviewed research is examining the connection between technology use and teenage student mental health. The U.S. Surgeon General issued an advisory about the effects of social media use has on youth mental health in 2023. The Surgeon General issued a call for urgent action by policymakers, technology companies, researchers, families, and young people alike to gain a better understanding of the full impact of social media use, maximize the benefits and minimize the harms of social media platforms, and create safer, healthier online environments to protect children. The advisory stated:

- While social media may offer some benefits, there are ample indicators that social media can also pose a risk of harm to the mental health and well-being of children and adolescents.
- Children are affected by social media in different ways, including based on cultural, historical, and socio-economic factors. Among the benefits, adolescents report that social media helps them feel more accepted (58%), like they have people who can support them through tough times (67%), like they have a place to show their creative side (71%), and more connected to what’s going on in their friends’ lives (80%).
- Studies have also shown a relationship between social media use and poor sleep quality, reduced sleep duration, sleep difficulties, and depression among youth.
- More research is needed to determine the full impact social media use has on nearly every teenager across the country.

According to a 2019 Pew Research study, *Most U.S. Teens See Anxiety and Depression as a Major Problem Among Their Peers*, “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.”

According to a 2020 article in the *Journal of Affective Disorders*, *Is social media screen time really associated with poor adolescent mental health?*, a greater amount of time spent on social media was associated with an increased risk of self-harm and depression, and lower levels of self-esteem in 13–15 year old girls. Findings were similar for weekday and weekend use.

Some 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.

Impact of smartphone use on student achievement, and the use of smartphones in schools.

There is an increasing body of research on the impact of technology on adolescent student outcomes in grades K-12.

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 boards have the authority to limit smartphone use in schools. Current law permits school districts, COEs, and charter schools to adopt policies which may limit or prohibit the use of smartphones in schools and during school-related activities.

Governing board smartphone policies. Current law permits the governing body of a school district, COE 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 LEAs 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.”

Related legislation. SB 1283 (Stern) of the 2023-24 Session would expand existing law related to the authorization of the governing body of a school district, a COE, or a charter school to adopt a policy to limit or prohibit the use by its pupils of smartphones while at school to also cover the use by pupils of social media.

AB 272 (Muratsuchi), Chapter 42, Statutes of 2019, 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.

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

Analysis Prepared by: Marguerite Ries / ED. / (916) 319-2087