

## New Laws Addressing Technology in Schools

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Two recent bills grapple with modern technology's pervasive presence and growing impact on local educational agencies (LEAs), both on school grounds and beyond. Assembly Bill (AB) 962 and AB 772 each address a common point of concern for LEAs: smartphones and cyberbullying, respectively.

### **Assembly Bill 962: Smartphones**

In 2024, California enacted AB 3216, requiring LEAs to develop and adopt a policy, by no later than July 1, 2026, that limits or prohibits student smartphone use while they are at school or under LEA supervision and control. (See [2024 Client News Brief Number 40](#).) The goal was to support students' learning and well-being, while also balancing the needs and desires of students, parents, and educators. In this balancing act, State law recognizes a handful of exceptions where students may not be denied access to or use of their smartphones.

One such exception applies during emergencies and perceived threats of danger. However, AB 962 was signed into law on October 3, 2025, softening this particular exception. Now, LEAs may even prohibit smartphone use or possession during emergencies or perceived threats, but only if the LEA has addressed this prohibition in its comprehensive school safety plan.

Existing law already requires that every school adopt its own comprehensive school safety plan, which is then reviewed and updated by March 1 of each year. LEAs considering extending their smartphone use and access policy to emergency situations may update their comprehensive safety school plan accordingly during this annual review and update cycle. However, in doing so, LEAs should carefully consider the risks associated with denying access to and use of cell phones, and consider obtaining feedback from the school community before finalizing any updates.

### **Assembly Bill 772: Cyberbullying**

Under existing law, LEAs may only expel or suspend students for misconduct which occurs on school grounds, during the school lunch period, going to or from school, or in connection with school-sponsored activity or event. However, there is a significant amount of serious misconduct that occurs off campus and beyond LEAs' expulsion and suspension authority that ultimately affects the LEA environment. Cyberbullying is a uniquely modern example of

this and is at the heart of AB 772, which was signed into law on October 11, 2025.

AB 772 first requires the California Department of Education (CDE) to develop a model policy discussing how to address reported acts of cyberbullying that occur outside of school hours and off campus. The CDE must develop this policy, post it on its website, and provide it to each LEA by June 30, 2026.

LEAs are then required to adopt a policy, or modify their existing procedures, by July 1, 2027, to address reported acts of cyberbullying that occur outside of school hours and off campus, but only where the act is so “severe and pervasive” that it creates an “intimidating or hostile educational environment.” Importantly, AB 772 states that it does not impose liability on LEAs that fail to address this conduct. LEA’s may simply adopt the CDE model policy or may adopt/revise their own policies to comply with the law. Once the LEA has adopted its corresponding policy, they must post it to their website and the website of each school site within the LEA.

Although AB 772 is unclear about what must be included in the policy, the legislature explicitly permits (and thus impliedly guides) the CDE to develop the model policy around restorative justice practices, trauma-informed practices, social and emotional learning, and school wide positive behavior interventions and support. Such frameworks are not punitive but are instead focused on developing meaningful methods for repairing cyberbullying’s harm to the school community.

If you have any questions about AB 962 AB 772, please contact the author of this Client News Brief or any attorney at one of our [eight offices](#) located statewide. You can also subscribe to our [podcast](#), follow us on [Facebook](#) and [LinkedIn](#), or download our [mobile app](#).

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