

S.284 -

The purpose of the bill is to create a phone and personal device free environment in public and independent schools, career and technical centers, and prequalified private prekindergarten programs. There was a provision, of course, to allow exceptions for students with medical needs.

The expected outcome will support teachers, improve student mental health and increase students' ability to focus as data tells us the mere presence of a phone in a child's backpack decreases learning.

In our very Senate chamber here we have a strictly enforced policy – we don't allow ourselves to use personal mobile phones because we want to be present and fully attentive to listen to and support each other – thus in turn to best serve our Vermont population. We need to apply this same standard to support a healthy environment for our children in school.

This original bill was designed to expose the harms that cell phones and electronic devices cause to the developing brains of our children. Our children and their habits are being patterned to benefit the social media companies, manufacturers of cell phones and electronic devices. The algorithms and associated hardware harm our children, both in and out of school.

The youth mental health crisis was exacerbated by, but did not start with Covid. Population data from sources such as the CDC shows the significant rise in youth suicide related emergency room visits, intentional self-poisonings and completed suicides started around 2012 when most people started owning "smart" phones and using social media.

Over the past 3 months since we introduced the bill, a multitude of data, world-wide, national, and local press has transpired about the harms being done to our children under the guise of their being taught to compete in a technologically complex world.

Even our Vermont Attorney General has taken legal action against META, the parent company of Facebook, Whatsapp and Instagram saying that Meta purposely addicted children and teenagers to its platforms. The Attorney General's lawsuit says the company did this to maximize advertising revenue. Vermont Public in an interview with our Attorney General said, "social media can be a place for kids to connect with one another, watch funny videos or learn to dance. But as parents or teens probably know, it can also be a place of bullying or constant self-comparison. [Discussing Vermont's lawsuit against Meta with Attorney General Charity Clark | Vermont Public](#)

Highlights of findings from the original bill follow:

Section 1: FINDINGS:

- (1) Schools should be a safe environment for all students where we prioritize health, learning and ability to focus.
- (2) Youth in Vermont are in a mental health crisis and suicide is the **2nd leading cause of death in Vermont Youth.**

(3) Electronic devices and the access such devices provide to social media and other applications contribute significantly to the youth mental health, and therefore public health, crisis.

(6) In 2023 alone, by mid-October there were nearly 1,000 suicide related youth emergency room visits in Vermont. This imposes a significant financial cost on the State and health care system. In 2021, 1,466 Vermont youth 17 years of age and younger were seen in Vermont emergency rooms due to mental, behavioral, and neurodevelopmental disorders. The average facility charges were \$2,890.00 per visit for a total of \$4,236,760.00 for youth mental health-related emergency room visit costs in 2021. Many of these youth suicide-related emergency room visits could be prevented by providing youth a safe school environment free of electronic devices and digital and online harms.

(7) In order to reverse the current inadequate conditions of schools as an unsafe environment, students must be protected against online product harms. It is in the public interest to provide as safe a school environment as possible and to provide education for stakeholders on the risks and harms of exposure to these products. It is our responsibility to provide an environment free of these harms where students can thrive and optimize their future potential.

SECTION 2: Definitions and SECTION 3: Effective Date: July 1, 2024

The strike-all amendment is one page and has two sections.

Sec. 1. CELL PHONE USE IN SCHOOLS; MODEL POLICY

(a) On or before December 31, 2024, the Secretary of Education shall develop a model policy and accompanying guidance regarding student use of cell phones and other personal electronic devices in schools. The guidance shall address, at a minimum, the following:

(1) the specific circumstances or time periods during which students are permitted to use cell phones or personal electronic devices, which shall include use of such devices for approved academic purposes;

(2) the specific circumstances or time periods during which students are prohibited from using cell phones or personal electronic devices;

(3) acceptable locations for cell phone and personal electronic device storage during times when their use by students is prohibited;

(4) consequences for violation of the model policy, including options for educators and staff to collect a cell phone or personal electronic device if a student is found violating the policy; and

(5) a process for parents or guardians to get messages to students during times when cell phone or personal electronic device use is prohibited.

(b) On or before January 15, 2026, the Agency of Education shall submit a written report to the Senate and House Committees on Education regarding the prevalence and substance of cell phone use policies adopted by school districts after the development of the Agency's model policy pursuant to subsection (a) of this section. The report shall include the following:

(1) information on how many school districts have adopted cell phone or personal electronic device use policies and whether and how those policies differ from the Agency's model policy and guidance.

(2) information on how many school districts do not have a cell phone or personal electronic device use policy and any information as to why such a policy has not been adopted at the time of the report; and

(3) in consultation with the Vermont Department of Health, recommendations for further legislative action regarding cell phone or personal electronic device use in schools. Sec.

2. EFFECTIVE DATE: This act shall take effect on July 1, 2024. And that after passage the title of the bill be amended to read: An act relating to student use of cell phones and other personal electronic devices in schools.

(Committee vote: 5-0-0)

The Senate Health and Welfare Committee heard testimony from:

Mathew Bergman, Attorney, Social Media victims Law Center

Sue Ceglowski, Executive Director, Vermont School Boards, Association

Charity Clark, Vermont Attorney General

Scott Holliman, Teacher, Poultney High School

Dr. Mark Levine, Commissioner, Vermont Department of Health

Pat Lincoln, Dean of Students, School Counselor, Hartford Memorial Middle School

Laura Marquez-Garrett, Attorney, Social Media Victims Law Center

Chelsea Myers, Associate Executive Director, Vermont Superintendents Association

Jay Nichols, Executive Director of Vermont Principals' Association

Colin Robinson, Political Director, Vermont National Education Association

Bill Softky, Computer Programmer, Silicon Valley First Algorithm Officer

Jason Van Driesche, Chief of Staff, Front Porch Forum

Rebecca Yukica, Pediatrician, Vermont

Cara Zimmerman, Director of Policy Services and Legislative Affairs, Vermont School Boards Association

Beth St. James, Legislative Counsel