



TO: Senate Education Committee

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

RE: Draft 1.1 of S.284 - An act relating to the use of electronic devices and digital and online products in schools

DATE: February 28, 2024

Good afternoon. I am Cara Zimmerman, Director of Policy Services and Legislative Affairs of the Vermont School Boards Association (VSBA). Thank you for the opportunity to provide testimony on draft 1.1 of S.284, an act relating to the use of electronic devices and digital and online products in schools. VSBA and the Vermont Superintendents Association (VSA) reviewed the most recent version of S.284 and wanted to share a concern for your consideration should the committee decide to move forward with the bill. We are not writing to support or oppose draft 1.1 of S.284.

As you know, draft 1.1 tasks the AOE with drafting a model policy regarding cell phone use in schools. The minimum requirements for the policy that are articulated in the bill (e.g. storage locations, consequences, family communication channels) are specific, and we believe the details are better addressed through guidance from the AOE. As you know, school district policy provides overall direction to school administrators (e.g. no cell phones during class time or no cell phones during the school day). The responsibility of how to carry out the policy rests with the superintendent.

To achieve alignment with the roles and responsibilities of school boards and school administration while still achieving the same goal of the legislation, the following language could be inserted:

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

- (1) the specific circumstances or time periods during which cell phone or personal electronic device use is permitted;
- (2) the specific circumstances or time periods during which cell phone or personal electronic device use is prohibited; and
- (3) exceptions for students to possess and use a cell phone or personal electronic device if a licensed physician or licensed advanced practice registered nurse determines the possession or use is necessary for the health of the student.

The **accompanying guidance** shall address, at a minimum, the following:

- (1) acceptable locations for cell phone and personal electronic device storage during times when their use is prohibited;
- (2) what documentation, if any, is required to support an exception under this subsection;
- (3) 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
- (4) a process for parents or guardians to get messages to students during times when cell phone or personal electronic device use is prohibited.”

Guidance allows flexibility for schools to include the details of how to carry out the policy in student codes of conduct, procedures, or through other relevant materials for communities and families.

Thank you.