

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Education to which was referred House Bill No. 54
3 entitled “An act relating to cell phone-free schools” respectfully reports that it
4 has considered the same and recommends that the bill be amended by striking
5 out all after the enacting clause and inserting in lieu thereof the following:

6 Sec. 1. FINDINGS

7 (a) Findings. The General Assembly finds that:

8 (1) The National Education Association reported in August 2024 that 83
9 percent of its members support a policy to prohibit use of cell phones and
10 personal electronic devices for the entire school day.

11 (2) In June 2024, U.S. Surgeon General Dr. Vivek Murthy called on
12 Congress to pass legislation requiring warning labels on social media because
13 these products have not been proven safe for children. He also called on
14 schools to “ensure that classroom learning and social time are phone-free
15 experiences.”

16 (3) Youth in Vermont are in a mental health crisis. According to the
17 2023 Vermont Youth Risk Behavior Survey (YRBS), 63 percent of high
18 school students said that their mental health was sometimes to always “not
19 good.” Suicide is the second leading cause of death for Vermont’s youth.

20 (4) The youth mental health crisis is driving up education costs in
21 Vermont. A 2024 Legislative Education Costs Survey conducted by the

1 Vermont Agency of Education found that the number of positions dedicated to
2 mental and behavioral health in the 48 responding supervisory unions and
3 districts was 142 in fiscal year 2022. By fiscal year 2025, that number had
4 risen to 790. Extrapolated to include the four remaining supervisory unions,
5 those positions account for close to \$53,000,000.00 of education spending.

6 (5) The Vermont YRBS also found that 80 percent of high school
7 students use social media several times a day, with 40 percent using social
8 media at least one time every hour. 60 percent of middle school students
9 reported using social media several times a day, with 32 percent using it at
10 least once per hour.

11 (6) Phone-free policies have been shown to reduce the incidence of
12 hazing, harassment, and bullying in some schools. Lamoille South
13 Supervisory Union instituted a phone-free school day policy in August 2024.
14 Data from one of the supervisory union's high schools showed nine hazing,
15 harassment, and bullying claims from August to October 2023, before the
16 policy, and just two such claims during the same period in 2024, after the
17 policy was enacted.

18 (7) Use of social media by school employees runs the risk of violating
19 the Family Educational Rights and Privacy Act. Given this risk, as well as the
20 growing body of research that shows social media is not safe for kids, schools

1 and students are best served by utilizing communication tools other than social
2 media.

3 (8) As of November 2024, eight states have passed laws that ban or
4 restrict cell phone use in schools.

5 (b) Intent. It is the intent of the General Assembly for all students in
6 Vermont to access the benefits of a phone- and social media-free school
7 environment, which promotes focus, improved mental health, and increased
8 social cohesion.

9 Sec. 2. 16 V.S.A. chapter 9, subchapter 7 is added to read:

10 Subchapter 7. Cell Phone and Personal Electronic Device Use in Schools

11 § 581. DEFINITIONS

12 As used in this subchapter:

13 (1) “Cell phone” means any device capable of using cellular technology
14 to facilitate voice service through a commercial telecommunications company,
15 regardless of whether the device can access internet services and electronic
16 mail.

17 (2) “Electronic device” means any device that:

18 (A) transmits sounds, images, texts, messages, videos, or electronic
19 information;

20 (B) electronically records, plays, or stores information; or

1 (C) accesses the internet or private communication or information
2 networks.

3 (3) “Individualized health care plan” means a written document
4 developed by a school nurse, in collaboration with parents, students, and other
5 relevant professionals, to outline specific health care needs and management
6 strategies tailored to the unique health condition of a student.

7 (4) “Parent” means a parent of a student and includes legal guardians
8 who are legally authorized to make education decisions for the student.

9 (5) “School” means any public school, independent school, career and
10 technical center, or prequalified private prekindergarten provider located in
11 Vermont.

12 (6) “Social media” means any online product or service used primarily
13 for the purpose of posting and viewing user-generated content. As used in this
14 subchapter, social media does not include:

15 (A) an online product or service where the exclusive function is
16 email or direct messaging shared only between the sender and intended
17 recipients, without displaying or publicly posting to other users not specifically
18 identified by the sender as recipients;

19 (B) an online product or service that does not involve school-specific
20 features or identifiers, where the predominant purpose of the product or service
21 is the posting of educational materials, news, or resources and where the

1 posting of comments by users or other interactive functionality is incidental to
2 the predominant purpose of the product or service; or

3 (C) a school-managed online product or service used solely for the
4 purpose of publishing student journalism or school-related news, events, and
5 updates.

6 (7) “Student” means an individual currently enrolled or registered at a
7 school located in Vermont, as defined under subdivision (5) of this section.

8 § 582. PERSONAL ELECTRONIC DEVICES

9 (a) Policy requirement. Each school board or governing body of an
10 independent school or prequalified private prekindergarten provider shall
11 develop, adopt, and ensure implementation of, and make available in the
12 manner described under subdivision 563(1) of this title, a policy to prohibit
13 student use of cell phones and personal electronic devices at school from
14 arrival to dismissal. The policy may prohibit a student from bringing a
15 personal electronic device to school, require personal electronic devices to be
16 placed in a designated area on school property, or allow for utilization of a
17 product that functions to secure the personal electronic device such as a device
18 locker or lockable pouch.

19 (b) Exceptions.

1 (1) The policy may allow for students to possess and use a cell phone or
2 personal electronic device during off-campus activities, subject to the
3 discretion of the school board.

4 (2) The policy shall provide exceptions for students to possess and use a
5 cell phone or personal electronic device if such possession or use is:

6 (A) required as part of a student's individualized health care plan,
7 individualized education program, or 504 plan, which shall be documented
8 according to applicable State and federal law;

9 (B) necessary for participation in the Dual Enrollment Program
10 established under section 944 of this title, regardless of whether such
11 participation occurs on or off the property of the school district; or

12 (C) necessary for participation in a career and technical education
13 program.

14 § 583. PROHIBITION OF INTEGRATION OF SOCIAL MEDIA
15 PLATFORMS INTO EDUCATION

16 (a) Schools, school districts, and supervisory unions are prohibited from:

17 (1) utilizing social media for communication with students directly
18 unless the program or platform is approved by the school district for such
19 communication; and

1 (2) asking or requiring students to use social media for school activities,
2 out-of-school academic work, homework, school sports, or extracurricular
3 clubs and any other school-sponsored activities.

4 (b) Schools shall have in place measures to prevent students from accessing
5 social media while on school-issued electronic devices and while under the
6 supervision of the school unless access to social media is approved by an
7 educator as an integral portion of a lesson plan.

8 Sec. 3. EFFECTIVE DATES

9 (a) This section and Sec. 1 (findings) shall take effect on July 1, 2025.

10 (b) Sec. 2 (cell phone and personal electronic device use in schools) shall
11 take effect on July 1, 2026.

1 (Committee vote: _____)

2 _____

3 Representative _____

4 FOR THE COMMITTEE