



May 6, 2025

To: House Education Committee

From: Oliver Olsen

RE: H54 - Cell phone-free schools bill

The Vermont Independent Schools Association (VISA) represents a diverse cross-section of Vermont's approved independent schools, including those that provide general education and therapeutic educational programs.

I am writing to request an opportunity for VISA to provide testimony on H54, the cell phone-free schools bill, and to provide your committee with some preliminary information that you may find helpful in your deliberations.

In anticipation of your committee's consideration of H.54, VISA conducted a survey of our member schools earlier this year to:

- develop an understanding of what current policies are in place;
- ascertain whether there was support for a legislative mandate; and
- identify potential challenges and suggested exceptions that should be considered in any legislative mandate.

Current Status of Cell Phone & Electronic Device Policies at VISA Schools

From our 42 member schools, we received a response from 29 schools in a survey on this topic in January of this year - nearly 70% of our membership. From the survey we learned that all of these schools have policies in place that impose restrictions on student use of cell phones (and similar devices) at school. The scope of these policies varies - from total bans to more selective prohibitions (e.g. only during class).

An overwhelming majority of respondents reported that their policies have been effective in minimizing distractions and other challenges in school and that families are supportive of these policies. Consequently, a majority of respondents expressed the opinion that cell phone and electronic device use is less of a problem than it would be without a policy.

Independent School Support for Legislative Mandate

As evidenced by the widespread adoption of policies in the independent school community, our members are supportive of the goal to minimize distractions from cell phones and other electronic devices in schools. While several of our member schools would support a legislative mandate to prohibit cell phone and electronic devices in schools, most of our members have expressed hesitancy. This hesitancy stems from concerns about unintended consequences and

the ability to navigate through these consequences within the constraints of a rigid statutory framework. Several schools expressed a view that schools should tackle the problems associated with technology as a learning opportunity; the following comments from three independent school leaders articulate this perspective:

“I think we need to be wary of the blanket, simplistic solution rather than one that is respectful of student voices and seeks to address cell phone usage as part of a learning process.”

“I think we need to realize that social media, AI, and electronic devices are part of our world. A ban does not solve the problem, but actually has the potential for our graduates to enter the world beyond high school without being taught how to navigate social media, etc. I would advocate for some regulations and restrictions, but education being an important aspect of any legislation related to the use of electronic devices in school.”

“Cell phones are tools, like many things, that can be used for ill or good. Banning them entirely does not help students to learn ethical digital citizenship or how to use them well. A total ban ignores our obligations as educators to prepare students for health and success in life.”

Potential Challenges

Several of our member schools have expressed concerns with the original bill, some of which the committee is already working to remedy (e.g. medical needs). Remaining concerns fall into the following categories:

- How an “electronic device” is defined (and distinguished from a “personal electronic device”) - the current definition of electronic device is quite broad; a literal reading of this definition would encompass scientific calculators, augmentative and alternative communication (AAC) devices, digital cameras, computers, and a variety of scientific instruments.
- How a school day (i.e. “arrival to dismissal”) is defined - many of our schools have boarding populations and specialized programs that integrate off campus activities into the curriculum. Examples include a boarding student leaving class and returning to their dorm, or a ski academy student transitioning from an academic class to a training event on the mountain.
- How “campus” is defined - the latest draft of the bill implies that on campus use of cell phones and personal electronic devices would be prohibited (allowing exceptions for “off campus” activities) - similar to the school day definition, this is of significant concern for schools with boarding programs (where students have reasonable expectations to access to communication and technology outside of class).
- The feasibility of a statutory prohibition to adapt to rapidly changing technology - some of our members have expressed concern that a one size fits all approach in statute will lack the agility necessary to adapt to changing technology.
- Independent school governance vs. public school district governance - the latest draft of the bill (draft 1.1, 4/25/25) includes a process allowing a school district to approve

specific communication platforms to be used by a school (which will be important to avoid inadvertently pulling student information systems into the definition of social media platforms), but this does not extend to independent schools. The bill also places responsibility for developing policies with the independent school's governing board - it would be better if any requirement was imposed more generically on the school (which would provide flexibility for the school's leadership team to develop and implement policies).

Flexibility & Exceptions to Consider

At a high level, it may be worth considering a less prescriptive approach with this bill; one that would provide flexibility to address unique situations and adapt with greater agility to rapidly changing technology. As an alternative, the bill could require schools to adopt policies that restrict and minimize the use of cell phones, personal electronic devices, and social media in schools (or more specifically, the classroom), which would set a clear policy objective without an outright prohibition that could lead to unintended consequences.

If the committee moves forward with an outright prohibition, we do believe that more work will be needed to identify and define and accommodate exceptions (perhaps through a study committee). The challenges highlighted above point to some of the exceptions that would need to be considered; others include:

- International students with special education and accommodation needs - the bill contemplates exceptions for students with specific accommodations outlined in an IEP or 504 plans, but these are US-centric terms. Some of our schools are serving students with disabilities from outside Vermont and outside the United States, and may not have a formal IEP or 504 plan because their education is not being funded by a US public school district. We need to ensure that the needs of these students can still be accommodated.
- Use of electronic devices for school-sanctioned activities and classes, e.g. photography, recording scientific experiments, etc.
- Use of electronic devices for attendance management and tracking student wellbeing (e.g. the Orah platform, which some schools use).
- Student-owned laptop computers.
- Use of electronic devices for athletic training purposes.
- Clear exceptions that are tailored to the needs of boarding students who live on campus and students who are part of specialized programs, such as winter sport academies.

Thank you in advance for your consideration of these perspectives.