



May 14, 2025

To: Senate 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.

In anticipation of the Legislature's consideration of H.54, VISA conducted a survey of our member schools in January of 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 our survey in January - 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. While the scope of these policies varies - from total bans to more selective prohibitions (e.g. only during class) - they are all focused on restricting the use of these devices in school, with the goal of improving student experience, health, and wellbeing.

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. Not surprisingly, 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 reservations about a strict legislative prohibition. 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.”*

VISA is generally supportive of the approach that the House Education Committee has taken with H54, i.e. having the Agency of Education (AOE) develop a model policy that can be periodically refreshed and allows for appropriate flexibility. Working from the House Education Committee’s latest proposed draft amendment to H54 (Version 5.1, 5/9/2025), VISA would suggest a few changes to ensure that the final bill can successfully deliver on this important policy objective.

### **Recommended Changes**

- **Require AOE to consult with VISA on model policy development** - The current draft would require the AOE to consult with the Vermont School Boards Association (VSBA) on the development of the model policy. The VSBA is an appropriate organization to consult with on the development of a policy for public schools, but VISA should also be included as an organization to be consulted, since our association represents independent schools (which the VSBA does not) and our schools would be subject to the same model policy.
- **Replace “Bluetooth” with “wireless”** - The model policy would be required to prohibit the use of non-school-issued electronic devices with Bluetooth capabilities. This is a specific technology standard; a more generic term of art would have the same effect, while being less susceptible to obsolescence in statute. We recommend substituting the term “wireless” in place of “Bluetooth”.
- **Explicit allowance for use by boarding students outside the school day** - Several of Vermont’s independent schools operate boarding programs. While the current draft contemplates a prohibition from “arrival to dismissal”, the bill does not explicitly define this concept. We recommend including language to ensure that the model policy provides appropriate flexibility to accommodate the unique needs of boarding students

(e.g. so they are not inadvertently prohibited from using their phones during personal time).

- **Exceptions for disability needs that are not part of an IEP or 504 plan** - The current draft allows for exceptions to accommodate the needs of students on an IEP or 504 plan. Some independent schools serve international students and domestic private-pay students who may not have an IEP or 504 plan maintained by a US public school district, so we recommend against limiting the exception to IEP and 504 plans. As an alternative, we recommend that 16 VSA § 582(a)(2)(A) be amended to read: *“required to meet a student's special education needs, healthcare needs, or as part of a disability accommodation, which shall be documented as part of the student's applicable individualized health care plan, individualized education program, or 504 plan, or similar formal documented plan.”*
- **Exceptions for athletic and co-curricular activities** - The current draft would require the model policy to include an exception for uses that are “approved by an administrator for an academic purpose”, which we support. However, this exception is not broad enough to ensure that there are exceptions to accommodate the needs of unique programs, such as off-campus winter sports training and field trips. We recommend amending the academic exception to read: *“approved by an administrator for an academic, athletic, or co-curricular purpose.”*
- **Small adjustment to approval authority for social media** - The current draft prohibits schools from using social media to communicate with students, unless the *“program or platform is approved for such communication by the school district or governing body of an independent school.”* We recommend amending that clause, so that the approving authority is more generalized to the school (rather than the governing board), so that it would read: *“program or platform is approved for such communication by the school district or independent school.”*
- **Limit to schools approved for public tuition** - We recommend that the mandate to adopt the model policy be limited to those independent schools that are eligible for public tuition. Our member schools are on the leading edge of efforts to address the problems of electronic devices and social media in educational settings. Those schools that are not serving publicly funded students would appreciate the continued opportunity to address these issues with maximum flexibility.

Thank you for your consideration.