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Model
Legislation

Model Legislation to Restrict Smartphone Use in K–12 Public Schools

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Introduction

Across the United States, a consensus has emerged around the need to limit youths' access to smartphones in schools.¹ Manhattan Institute polling done in July 2024 revealed that 60% of likely voters nationwide are extremely or very worried about cellphone use in school. Despite today's divisive political landscape, 73% of voters agree that schools should take steps to limit access to cellphones in schools.²

Generation Z, those born after 1995 and often lauded as “digital natives,” was the first cohort to grow up with constant access to technology. This fluency with digital devices was often framed as a benefit, equipping today's youth to navigate the modern world with ease. But as social psychologist Jonathan Haidt and others have written in recent years,³ this constant digital stimulation—especially on social media platforms—comes with downsides. As Haidt notes, the six to eight hours of screen-based leisure that teens spend each day comes with a high opportunity cost: time not spent playing with friends, learning new skills, and exploring the physical world.⁴

In a recent poll of 1,006 Gen Z adults aged 18 to 27, 60% responded that they use social media for at least four hours each day, with 22% spending seven or more hours daily.⁵ Almost half wish that social media platforms like TikTok and Snapchat were never invented, indicating the frustration that many young American adults feel with social media.

Generation Alpha—the children born from 2010 onward and often known as “screenagers”—has screen time rates that exceed those of previous generations, even Gen Z.⁶ About 65% of Generation Alpha spend up to four hours a day on social media, with 58% obtaining a smartphone before the

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age of 10.⁷ This younger generation of students has already had its elementary educational and social experience hindered by Covid-19-related masking and remote-learning policies.⁸ Smartphone dependency is eroding their educational capabilities and social development further.

Americans increasingly recognize that smartphone dependence can harm our youngest generation. Mounting evidence from personal experiences as well as from scientific studies demonstrates that smartphone use relates to poorer academic performance, heightened anxiety, loneliness, distress, and risks to healthy childhood socialization. Teachers confirm that cellphones and smartphones are pulling students' attention away from their work. A recent Pew Research poll found that "72% of high school teachers say students being distracted by their cellphones in the classroom is a major problem."⁹

As a result, states, cities, and individual school districts across the U.S. are revising their policies on phone use in public schools. The problem transcends partisan, state, and even national lines. Large urban and small rural districts, Republican and Democratic jurisdictions alike, are beginning to look for solutions. The United Nations' UNESCO body has even called for a global smartphone ban in schools.¹⁰

This issue brief and accompanying model legislation aims to provide states with a broadly implementable smartphone restriction policy in public schools, along with clear, straightforward enforcement provisions to help state and local elected leaders and school officials limit smartphone use in public schools across the United States.

The Deleterious Effects of Smartphones in Schools

Smartphone use in schools can harm children in at least two major ways: 1) distracting from the educational experience of students, particularly as related to learning and classroom management; and 2) impeding healthy childhood socialization. These two aspects of the in-person, academic experience can be fundamental to children's development into well-functioning, well-adjusted adults. Local education agencies' authority to restrict smartphone use is justified for potentially two reasons related to these harms. First, public schools historically operate *in loco parentis*, meaning that when minor children are entrusted by parents to a school, the school has a duty to support the learning and safety of its students¹¹—but schools' ability to do so may be particularly impeded by smartphone use. And second, the role of the public education system is, at least in part,¹² preparation for productive participation in a democratic society; contrary to arguments *for* technology use, given its existence in the "real world," schools are the primary place where children learn to interact face-to-face, which remains necessary for a well-functioning society.

Distracting from the Educational Experience and Impact on Academic Performance

Student engagement in academics suffers when students are distracted by smartphones. Learning requires listening, watching, reading, and participating. Students with access to smartphones use them during lectures, when they are supposed to be reading and performing schoolwork, and when they are supposed to be learning from one another in group-learning settings. Even when students are not actively using their phones, they can be preoccupied by their mere presence and accessibility: they think about incoming texts, feel vibrations, and hear hushed alert sounds. Students

feel compelled to check their smartphones with alarming regularity, constantly thinking about their next use. According to Santa Barbara high school principal Bill Woodard: “If that phone is pinging in your pocket, it can take you up to 20 minutes to refocus.”¹³

Data and anecdotal observations support these contentions. Research using granular data that tracked mobile phone notifications found that teens received 237 notifications a day, on average, with about 25% of those notifications occurring during the school day.¹⁴ In one study of college students, over 90% reported receiving texts while in class, and 86% reported texting someone from class.¹⁵ A separate study found that using Facebook or texting while doing schoolwork can tax cognitive processing capacity that may preclude deeper learning.¹⁶ Smartphone use and addiction has also been associated with poorer sleep quality,¹⁷ and sleep quality has a significant correlation with academic performance.¹⁸

Perhaps more directly relevant, in addition to the complicated effects that screen time may have on the brain and learning processes, a systematic review of the literature on smartphone use in schools elucidates a large body of evidence that supports a negative relationship with academic performance.¹⁹ Several researchers have independently found that phone use distracts students in significant ways, noting that “cellphone addiction and distractedness played key roles in impacting the effects of condition on test performance”²⁰ and that “[p]articipants who kept their cellphone performed worse on the quiz for material presented in the 3rd quarter of the lecture than those without cellphones. Distracted participants performed worse on the test for the same material than those who were not distracted.... Findings indicate that having cellphones in a short lecture has its largest impact on attention and learning 10–15 min into the lecture.”²¹

One study, which tracked the effects of a cellphone ban in Spain, found that “during the less than three years that the mobile phones ban was in force (from 2015 to 2017), students’ scores in Galicia improved by around 10 points in maths and 12 points in sciences as compared to a synthetic Galicia that had followed exactly the same trend in these scores before the intervention.”²² American schools that successfully restrict smartphone use report improvements such as improved standardized test scores, grade performance, interpersonal interactions, and even attendance at school sporting events.²³

Importantly, teachers have increasingly limited tools to manage classroom behavior, given recent school discipline reforms²⁴ and the growth of therapeutic interventions in the classroom.²⁵ For example, teachers’ unions have largely supported efforts to weaken consequences for misbehavior, such as by replacing discipline codes with “restorative justice” approaches.²⁶ Smartphones create challenges in enforcing school behavioral policies and maintaining order in the classroom. Teacher difficulties are a pressing concern as classroom behavior has deteriorated²⁷ and increasing numbers of teachers are leaving the field.²⁸ Teachers asked to implement a classroom-level smartphone policy are given this additional burden, and they often wish that the school district instead provided a uniform policy.²⁹

Corrosive Effects on Social Development and Well-Being

Smartphone use in schools also harms children by stunting their social development and well-being. This takes several forms. First, children distracted by their phones have fewer synchronous interactions with their fellow classmates. Children often sit together in silence while they scroll on phones in school, instead of talking and learning with one another. At recess, they likewise eschew play for phone time, despite overwhelming evidence that children need ample opportunities for play, which is fundamental for healthy brain development and social functioning.³⁰

It is difficult to overstate how the reduced frequency of these social interactions risks healthy childhood development. Haidt concludes that the only plausible theory for the international decline in teen mental health over the last 15 years “is the sudden and massive change in the

technology that teens were using to connect with each other.”³¹ Other research shows that children with latent social anxiety may choose digital interactions over in-person ones: “opting to substitute digital media for interpersonal communication to avoid feared situations may become cyclically reinforced over time, making the person even more avoidant and worsening the symptoms and severity of social anxiety disorder.”³²

Research has also shown that “[b]y banning smartphones, students communicate and socially interact directly with each other more often. This promotes the development of social skills and strengthens the community within the school.” Relatedly, cellphone bans can result in “positive effects on satisfaction, conflicts, and competition.”³³ In fact, proactive in-person social interactions in place of excessive social-media use can be effective for helping students get past social anxiety.³⁴ Experiments reducing social-media exposure generally show improvements in anxiety and depression.³⁵

Second, the actual content that children overconsume when using applications like Instagram or TikTok has been shown to increase anxiety and depression in children, and especially in girls.³⁶ Social-media use is significantly correlated with these mental health conditions.³⁷ Young adults are particularly susceptible to feelings of envy and dissatisfaction with their lives when exposed to social media.³⁸

Overuse of cell and smartphones has also been linked to higher rates of cyberbullying, with students both as perpetrators and victims in these incidents due to the constant connection to social-media and messaging platforms.³⁹ In one 2017 study, students with cellphones were more likely to be a victim of bullying or to be bullies themselves.⁴⁰ A culture of poor digital behavior creates a culture that fails to value privacy and shares personal information recklessly (such as “doxxing”), which amplifies bullying and victimization.⁴¹

Third, frequent phone use during school increases the possibilities for sexting, with some students unaware of the legal, emotional, or academic consequences involved.⁴²

Emerging Approaches to Cell and Smartphone Bans

Fully 77% of public schoolchildren nationwide already attend a school with some sort of cell- or smartphone restriction for nonacademic use.⁴³ Most teachers support smartphone restrictions or bans. Nationwide, 90% of teachers in the National Education Association union support policies prohibiting cellphone use during instructional time, and 83% favor going further to prohibit phone usage during the entire school day.⁴⁴ An NEA-published article found that many teachers wanted guidance and a clear policy from the school district, but many school administrators avoided the responsibility to set uniform rules.

In New York State, 60% of voters support banning smartphones in classrooms.⁴⁵ New York governor Kathy Hochul has expressed support for a “bell to bell” (8 AM to 3 PM) prohibition on the use of personal Internet devices in public schools.⁴⁶ In May 2024, Hochul said that education leaders “have to liberate” public schoolchildren from the fear of missing out on what others might be saying about them and the felt need to respond to their smartphone notifications.⁴⁷ Likewise, for months, Mayor Eric Adams and the New York City Department of Education have considered a smartphone ban, though they have failed to implement a citywide policy.⁴⁸

Among NYC public schoolteachers, 63% support a citywide ban.⁴⁹ The details of policy design and enforcement have been left to each school, however, resulting in inconsistency and a halting start to a citywide policy.⁵⁰ While 38% of teachers in schools that have implemented bans say that they have been a success—indicating that bans can work—a greater share (40%) said that bans had been a failure.⁵¹ Those who called their school’s ban a failure most frequently blamed a lack of planning and organization. Among teachers in schools that had a ban, 70% supported introducing a citywide ban.⁵²

Michael Mulgrew, president of the powerful city teachers’ union, has said that any citywide policy should incorporate what has worked in schools that have implemented restrictions.⁵³ According to a union press release, educators reported that in “middle and high schools, collecting phones as students walked into the school building worked the best,” whereas for elementary schools, keeping phones in backpacks and turned off worked best.⁵⁴ Both best-practice approaches removed phones from students’ persons.

States have started to pursue a variety of approaches to address smartphone use in schools. These approaches range in both “dosage” (just how much students may access devices throughout the school day) and prescriptiveness (the amount of discretion either withheld or afforded to individual schools). That so many schools have problems with smartphones proves that these policies are often ineffective because of poor design, implementation, or both.

Lawmakers at the state, municipal, or individual school level seeking to ban smartphone use in schools must consider several factors, including access between classes, phone storage possibilities, and enforcement mechanisms. For example, should students have access to their devices during lunch periods or while they walk from class to class? School administrators must also decide on a system of enforcement for when students disobey the established rules. Finally, they must plan for necessary or useful flexibility and exceptions to the policy that will vary based on student- and local-level characteristics.

School- and District-Level Approaches

Deficient enforcement is the most important impediment to a smartphone policy’s effectiveness. Teachers often find enforcing restrictions difficult, awkward, or even dangerous.⁵⁵ Because of inconsistent enforcement, students often flout the rules. One study analyzing smartphone data of 200 students aged 11–17 found that 97% used their phones during the day, with a median time of 43 minutes.⁵⁶ A Fordham Institute study notes: “Without consistent enforcement, none of these cellphone policies mean anything. I had many exchanges with current and former teachers. When I asked them which policy they preferred, by far the most common answer was ‘the one that will be enforced.’”⁵⁷ Case studies and examples consistently prove the value in having clear guidelines and consistent expectations in enforcement.

In Orange County, Florida (which includes Orlando), prior to implementing a district-wide smartphone ban, students “rarely looked up from their devices as they walked down school hallways.”⁵⁸ Some posted images and videos of their classmates to social-media platforms, causing bullying. Going further than Florida’s statewide requirement, the district barred students from using cellphones for the whole school day, including the time between classes. The results: “on the first day the ban took effect, Timber Creek administrators confiscated more than 100 phones from students,” but then, as students realized the ban would be enforced and stopped using their phones, confiscations quickly dropped.⁵⁹

In a high school in Beaverton, Oregon, teachers were originally encouraged to use signs that said “tech OK / tech away,” but most simply told students to put away their phones when necessary.⁶⁰ In practice, the policy devolved into individual teachers’ preferences. The result: students regularly pulling out their smartphones to respond to text messages, whether secretly or in plain sight.

By contrast, Marist Catholic High School in Eugene, Oregon, took a stricter stance, requiring that students put their phones in school-provided cubbyholes during classes and assemblies.⁶¹ Violations lead to confiscation of phones and academic penalties. Students understand the importance of enforcement. According to one sophomore: “The stricter the teacher, the less missing phones from the cubby.”

Until the 2024–25 school year, teachers in Santa Barbara, California, were responsible for their class’s smartphone policies. As in Beaverton, that proved ineffective, as most teachers did not adopt a smartphone-management policy. In response, a Santa Barbara teachers’ union representative surveyed members for their views, presented the findings to the district, and successfully lobbied for a new district-wide “Off and Away” policy.⁶² Under the policy, students’ phones must be put away in a “phone hotel” in each classroom, though students can use phones after class and during breaks.

The adoption of a uniform policy helped Santa Barbara teachers enforce the policy consistently. As Devon Espejo, an art teacher who previously required phones to be placed on a numbered storage shelf, said, “A more uniform approach will help us control these devices in the classroom.”⁶³ Every teacher across the school system is expected to enforce the policy, removing discrepancies in leniency and reducing the opportunities for conflict, both of which can lead to lower effectiveness.⁶⁴ As high school Spanish teacher Esther Limon remarked of the districtwide policy, “everyone knows it’s an expectation now.”⁶⁵

Scarsdale, New York, public schools have also adopted an “off and away” policy that varies based on school level. Elementary school students are encouraged not to bring smartphones at all, but if they do, their phones are required to be turned off and kept in backpacks.⁶⁶ At the district’s middle school, phones are turned off and stored in lockers. At the district high school, students place their phones in a caddy at the entrance of each classroom before class begins and retrieve them at the end of the class session. A high school English teacher, Jennifer Rosenzweig, who helped develop the district’s smartphone policy, says that the phone caddies “make a difference but not enough,” adding that “each student needs seven hours a day without pings and buzzes calling out to them.”⁶⁷ Students who are allowed to look at their phones between classes lose the ability to absorb classroom instruction, says Rosenzweig. They instead “need down time between classes to absorb the information just taught, and if they look at a screen, that information is immediately lost.” In a joint panel of students and teachers tasked with revising the district policy, the panelists overwhelmingly asked for a “more unified effort to keep phones off and away.”⁶⁸

Specialty pouches, such as the Yondr brand of pouches, which lock magnetically, have sometimes proved less than fully effective.⁶⁹ Keeping phones turned on and on the student’s person, even if magnetically sealed, can nonetheless distract students by allowing them to feel notification vibrations and wonder who is calling. Clever students at some schools have found ways to force the magnetic closure open, such as by hitting it hard enough, or to pretend that their phone is stored in the pouch.⁷⁰ In short, there is no technological substitute for clearly defined policies and consistent enforcement.

State Approaches

On the more prescriptive side, four states have banned smartphones or cellphones from classrooms (Indiana, Florida, South Carolina, and Louisiana) and in one other state (New Hampshire) the governor announced an intended ban:

- Indiana requires that “[e]ach school corporation and charter school shall adopt and implement a wireless communication device policy that ... prohibits a student from using a wireless communication device during instructional time, [but] authorizes a teacher to allow a student to use a wireless communication device for educational purposes during instructional time.”⁷¹

- Florida’s policy reads that “a student may not use a wireless communications device during instructional time, except when expressly directed by a teacher solely for educational purposes. A teacher shall designate an area for wireless communications devices during instructional time.”⁷²
- South Carolina’s law stipulates: “During the school day, students are prohibited from accessing their personal electronic devices, unless authorized for classroom use. Students may not wear or access device accessories during the school day. Students must store their devices and device accessories in lockers, backpacks, or otherwise as directed by the school district during the school day. Districts may forbid student possession of devices and device accessories on school property.”⁷³
- Louisiana’s ban on possession and use states that “no student shall possess, on his person, an electronic telecommunication device throughout the instructional day. If a student brings an electronic telecommunication device in any public elementary or secondary school building or on the grounds thereof during an instructional day, the electronic device shall either be turned off and properly stowed away for the duration of the instructional day or prohibited from being turned on and used during the instructional day.”⁷⁴
- On January 9, Kelly Ayotte, the newly inaugurated governor of New Hampshire, announced that the state would move to ban cell phones in schools.⁷⁵

Other states, such as Minnesota and Ohio, have taken initiatives that fall short of an outright ban but have instructed school districts to adopt individual policies on phone use. In Iowa, a ban is being discussed but is still in its early stages:

- Minnesota requires that each “school district or charter school must adopt a policy on students’ possession and use of cellphones in school by March 15, 2025. The Minnesota Elementary School Principals Association and the Minnesota Association of Secondary School Principals must collaborate to make best practices available to schools,”⁷⁶ leaving each school district to adopt a policy to limit smartphone use.
- Ohio likewise passed legislation requiring that by July 1, 2025, “each school district board of education shall adopt a policy governing the use of cellular telephones by students during school hours.”⁷⁷
- In late November, Iowa governor Kim Reynolds announced that she would propose legislation to ban smartphones in public schools statewide, though she left details for a future date.⁷⁸

Recommendations

Because of the detrimental impact on socialization and classroom learning and the potential harms to healthy childhood socialization, states, cities, and school districts should severely restrict the use of smartphones on school grounds for the entire school day and during other school-sponsored activities. This approach is aligned with the scientific and experiential evidence that the use of smartphones in schools distracts students from social interactions and academic responsibilities necessary for healthy development. It also accords with Haidt’s recommendation of a completely phone-free school day.⁷⁹

As the experience of multiple districts and schools attests, such a policy must be clearly defined and consistently enforced to achieve effectiveness. Our model policy thus proposes, in essence, that no smartphones should be visible on school grounds during school hours or in school-sponsored activities. Because school hours may vary from district to district or school to school, we refer to the school’s handbook for the times of day in which phone access is to be restricted. School districts should require students to deposit their smartphones in a locker or other secure storage system, give the devices to a school official when they enter the school building for safekeeping, or keep their phones turned off and stored in backpacks throughout the entire school day. Those who have deposited their phones can retrieve them at the end of school hours, ensuring a phone-free learning environment. Ideally, districts would require locker-based storage, but resource limitations and respect for local preferences call for the inclusion of a restrictive “Off and Away” option, with phones turned off and stored in students’ backpacks during the entire school day.

For a ban to have any meaningful deterrent mechanism, it must be enforced consistently by teachers and staff. Our proposed bright-line rule allows school employees who observe students using smartphones to instantly and easily determine that such use is prohibited and enforce the rules. The policy also proposes a sample guide for penalties that increase in severity each time a student is caught with a smartphone. We include multiple steps in the disciplinary guide to illustrate the range of actions available to states and school districts, which escalates with repeated offenses. Our policy would also provide low-cost rewards to students and schools for compliance. Finally, the policy contemplates enforcement at the school and district level through reporting to the office of the state superintendent of education, providing an oversight mechanism through state-level education officials.

Addressing Concerns

Parents and education advocates have well-intended, understandable concerns about cellphone bans. These concerns are primarily related to safety, digital literacy, and medical conditions. Parents are concerned that a smartphone ban would prevent them from connecting with their child in the case of an emergency, such as a natural disaster or an active threat scenario. Parents have voiced that phone bans “cut off a lifeline parents have to make sure their children are safe during school shootings or other emergencies.”⁸⁰ Though schools have landline phones and other ways for students and teachers to communicate in the case of emergency, many parents would prefer that their children have access to a device in which they could communicate immediately, if necessary.

But law-enforcement officials and school safety experts suggest that phones, in fact, can detract from student safety, noting the importance of getting students to devote full attention to adult directions when quick action is needed; mere seconds may make the difference in saving their lives.⁸¹ In response to parents upset over a NYC school’s failure to inform parents about what turned out to be an unfounded school safety threat, Governor Hochul reiterated that smartphones can distract students in the event of an imminent danger.⁸²

While mass school shootings are highly publicized, they remain rare occurrences.⁸³ Excusing inaction on commonsense smartphone restrictions in schools for this reason sends a false message to students and parents that excessive fear is warranted, which itself can induce greater student anxiety and also risks normalizing the extreme behavior.

In any case, our model language addresses these concerns by banning smartphones, not cellphones with bare-bones calling capabilities. As defined in the policy, a “basic phone” is a handheld cellular radio telephone or electronic device that lacks the capability to install third-party applications beyond those preinstalled by the manufacturer, or to access social-media platforms via websites or

applications. Schools would retain the authority to regulate basic-phone use, such as by requiring that they remain silenced throughout class. Our policy also permits wearable electronic devices such as smartwatches, as parents may opt to track their children’s location using such devices, perhaps in lieu of giving them a Basic Phone.

A final common concern about smartphone bans is that they will prevent children from becoming familiar enough with technology to properly navigate that technology in their careers and future social lives. Some have voiced concerns that students will have difficulty adapting to a technologically driven workforce.⁸⁴ In terms of digital literacy, as noted above, a lack of technological fluency is not an obvious problem among youth, whereas many children struggle with face-to-face interactions.⁸⁵ To the extent that digital literacy is of interest, more must be done to determine what, specifically, constitutes “responsible” smartphone and social-media use—measures of which are less obvious than may be considered at first thought. Designing effective and relevant digital literacy curricula will be a wholly separate challenge. While the use of digital literacy programs is growing, there is still no consensus on what constitutes digital literacy themes, and the effectiveness of these programs is not known.⁸⁶ Given how rapidly technology changes, requiring digital literacy programs may force schools to develop curriculum that becomes out of date before it is widely rolled out.

Our model does not prevent schools from instructing students on the use of smartphones, computers, or other technologies. Students in pre-determined, specified, and supervised settings can still be allowed to use such electronic devices, for example, in explicit cases like popular computer-aided design (CAD) classes, computer science and technology classes, or in related after-school programs and clubs, like those for robotics and computer programming and coding.

In terms of medical conditions, alternative measures and reasonable accommodations can address these concerns. Students with medical conditions, such as diabetes, often use their phones to manage those conditions. The American Diabetes Association, for example, considers smartphones to be “paramount to the student’s ongoing diabetes care, health, and safety,” so that students with diabetes may use their device to “monitor their blood glucose (blood sugar) levels, administer insulin, and share data with school nurses, trained school staff, and other caregivers.”⁸⁷

Our model legislation provides adequate exceptions for students with medical conditions. Section 7(b) of the legislation establishes a process for obtaining a medical exception after “the submission of a formal written request by the student’s parent or guardian, accompanied by a verified letter from a licensed physician.” The policy then broadly follows the medical exception process made under Section 504 of the Rehabilitation Act of 1973, which all school districts are already required to have, as a matter of federal law.

The stringency of the proposed exception process aims at deterring requests for conditions that do not require an exception. Instead, the school can provide a reasonable accommodation, short of allowing smartphone retention throughout the day, such as allocated times during the day during which students can check their phones. For situations in which no reasonable alternative device or accommodation is available, students will be granted an exception.

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A Model for Restricting Smartphone Use in K–12 Public Schools

Section 1: Purpose

Mounting scientific evidence and the experience of teachers and school officials across the U.S. have demonstrated the harms of excessive smartphone use, particularly in school. This policy document aims to promote a focused educational environment and healthy childhood development by restricting the use of smartphones in schools, while allowing basic communication devices that serve essential safety purposes.

Section 2: Definitions

- a. “Smartphone” means a handheld cellular radio telephone or electronic device that includes the capabilities to: (1) connect to a wireless cellular data network; (2) make phone calls or use digital voice services; (3) browse the Internet; and (4) access Internet platforms, including, but not limited to, TikTok, Instagram, Facebook, X (Twitter), YouTube, and Snapchat, through applications or websites.
 - 1. A “Smartphone” does not include a laptop, non-handheld tablet, wearable computer such as a smartwatch, or electronic device primarily designed for reading books and periodicals in digitized form.
- b. “Basic Phone” means a handheld cellular radio telephone or electronic device designed primarily for voice calling that: (1) lacks the capability to install third-party applications except those preinstalled by the manufacturer; and (2) does not support access to Internet platforms through applications or websites.
- c. “Backpack” refers to a backpack, bookbag, or other closable bag intended for carrying books and other academic equipment.
- d. “Medical Exception” refers to any exception from the terms of this policy document or a school district’s Smartphone policy granted on the basis of a documented medical condition.
- e. “School Hours” means the time of day when the school regularly provides classroom instruction, including lunch periods and breaks, as defined in the school’s student handbook.
- f. “School Grounds” includes all public school buildings, classrooms, outdoor areas, and transportation vehicles used in the course of school activities for grades kindergarten through 12, including spaces visited on school-sponsored trips.
- g. “School Staff” means all those who support school operations, including employees, administrators, and volunteers.
- h. “Smartphone Storage Rack” means a rack, closet, compartment, locker, tray, organizer, or other container provided by the school and kept in a secure location, for the purpose of storing Smartphones.

Section 3: Prohibition of Smartphones in Schools

- a. No later than the start of the school year following the enactment of this policy document, or [X] months after, whichever is later, each school district in the state of [STATE] shall adopt a policy restricting use of Smartphones by students on School Grounds, which shall not conflict with the provisions of this policy document.
- b. The school district's policy required under Section 3(a) shall be posted on the websites of the school district and each school in the district, in an easily accessible location.
- c. No public school student shall use or display a Smartphone on School Grounds during School Hours, or while participating in a school-sponsored activity.
- d. Before or at the beginning of School Hours, students in possession of a Smartphone shall either:
 1. Place the Smartphone, set to off, in a Smartphone Storage Rack provided by the school;
 2. Relinquish the Smartphone, set to off, to a member or members of School Staff, who shall promptly place the Smartphone in a Smartphone Storage Rack; or
 3. Place the Smartphone, set to off, in the student's Backpack.
- e. Except in cases of emergency, as determined by the school principal, students shall not retrieve their Smartphone from a Smartphone Storage Rack or a Backpack during School Hours, or during school-sponsored activities.
- f. At the conclusion of each school day, as defined in the student handbook, a member of School Staff shall provide access to Smartphone Storage Racks to allow students to retrieve their Smartphones, or shall deliver students' Smartphones to students.
- g. A school district may adopt a policy that requires students to adhere to one or more options listed in subsection (d) of this section.
 1. School districts that adopt policies requiring students to adhere to the restrictions under Sections 3(d)(1) or (3)(d)(2) may apply to the state superintendent of education for funding and other assistance to procure Smartphone Storage Racks.
- h. Each school district shall ensure that schools take reasonable steps, within available resources, to reduce the risk of theft or loss of students' Smartphones.

Section 4: Allowable Devices

- a. Nothing in this policy document shall be construed to deny:
 1. Student access to a Basic Phone for the purpose of communication with parents or guardians. Such devices shall be allowed for use before and after School Hours, or during emergency situations, as determined by the school principal;
 2. Smartphones or other electronic devices, provided by and authorized by the school, for use in classroom instruction;
 3. Devices not defined as Smartphones under Section 2(a)(1); or
 4. Smartphones in public institutions of higher education.



- b. Each school or school district shall establish a list of Basic Phones approved for possession on School Grounds.
- c. School administrators shall have the authority to regulate Basic Phone use on School Grounds.

Section 5: Enforcement

- a. Each school shall designate a member or members of School Staff tasked with administering the provisions of this policy document.
- b. Upon discovering a student found in violation of this policy document, School Staff must promptly report the violation to a member of School Staff tasked with the responsibility of administering the provisions of this policy document, who shall promptly record the violation in the school's records and enforce any associated penalty.
 - 1. School staff who report a violation or enforce a provision of this policy document shall be free from harassment, retaliation, coercion, or intimidation as a result of complying with this policy document.
- c. Each school district shall adopt a uniform discipline policy for violations and repeat violations of this policy document within the same school year.
 - 1. Repeat violations shall increase in severity and shall, in the school district's discretion, include the possibility of the most severe disciplinary action available under the school district's discipline code or policy.
 - 2. At a minimum, each school district shall adopt the following discipline policy for violations and repeat violations of this policy document within the same school year:
 - i. Upon the first violation, a member of School Staff shall give the student a verbal warning that Smartphone use is not permitted during the school day, and shall inform the student that the violation will be recorded in the school's records.
 - ii. Upon the second violation, the student shall be required to relinquish the Smartphone to a member of School Staff, who shall promptly place the Smartphone in a Smartphone Storage Rack, or in a secure location. The student shall report to the principal's office at the end of School Hours, where a member of School Staff shall inform the student that the violation has been recorded in the school's records and return the Smartphone to the student.
 - iii. Upon the third violation, the student shall be required to relinquish the Smartphone to a member of School Staff, who shall promptly place the Smartphone in a Smartphone Storage Rack, or in a secure location, until retrieved by the student at the end of School Hours. No later than the day following the violation, a signed letter from a member of School Staff shall be delivered to the student and the student's parent or guardian. This letter shall include the requirements of the school district's Smartphone policy and a warning of the consequences of

*This multi-step discipline policy is meant to provide a useful and commonsense escalating framework for assessing a range of disciplinary actions. School districts may modify this discipline floor based on their circumstances, such as by reducing the number of steps (but not adding steps to make more lenient), changing the penalties associated with violations, or levying penalties for Smartphone use that results in problematic behavior like cyberbullying or fights.

future noncompliance. The student and the student's parent or guardian shall be required to sign an acknowledgement of these consequences and a pledge to comply with the school district's Smartphone policy.

- iv. Upon the fourth violation, the student shall be required to relinquish the Smartphone to a member of School Staff, who shall promptly place the Smartphone in a Smartphone Storage Rack, or in a secure location, until retrieved by the student's parent or guardian.
- v. Upon the fifth violation, the student shall be required to relinquish the Smartphone to a member of School Staff, who shall promptly place the Smartphone in a Smartphone Storage Rack, or in a secure location, until retrieved by a parent or guardian. Upon retrieval, a member of School Staff and a school counselor shall meet with the student and the student's parent or guardian, or schedule such a meeting within the next seven calendar days, to discuss the circumstances of the student's violations thus far and the consequences of future noncompliance.
- vi. Upon the sixth violation, and for subsequent violations, the student shall be suspended for a period of [X] days, according to the school district's suspension policy. The principal shall deliver a signed letter to the student and the student's parent or guardian stating the terms of the suspension and consequences of future noncompliance.
- vii. After no more than three in-school suspensions, the student shall be subject to an out-of-school suspension. After no more than three out-of-school suspensions, the school may implement the most severe penalty available under the school district's discipline code or policy.

Section 6: Implementation

- a. Each school shall:
 - 1. At the end of each school year and not later than June 30,* create an annual summary of the number of violations of this policy document that occurred during the immediately preceding school year, including the number of students disciplined, the number of total violations, and the frequency of each type of penalty imposed.
 - 2. Not later than one week after the beginning of the school year, or not one week after a student is enrolled in a district's school, ensure that the school district's Smartphone policy, including the list of Basic Phones approved for use on School Grounds provided under Section 4(b), is delivered in printed and electronic format to each student and the student's parent or guardian.
 - 3. Not later than five business days after receipt of the school district's Smartphone policy, ensure that each student and the student's parent have signed and returned an acknowledgement, in printed or electronic format, that they understand and accept the school district's Smartphone policy.
 - 4. Not later than the start of each school year, post the school district's latest Smartphone policy on the school's website in an easily accessible location.

*Please note: the dates found in this Section may be subject to change, based on each school district's school year and other circumstances.



- b. Not later than July 30 of each year, each school district shall create an annual summary of violations of this policy document that occurred during the immediately preceding school year in the school district. Not later than August 5 of each year, each school district shall submit this summary to the office of the state superintendent of education.
- c. In the year following the publication of the feasibility study required under Section 6(f), and not later than August 30 of each year, and for each of three years thereafter, the office of the state superintendent of education shall post on its website in an easily accessible location summary statistics of the average and median number of Smartphone policy violations as a proportion of students statewide, in the school district with the greatest number of violations as a proportion of students, and in the school district with the fewest number of violations as a proportion of students.
 - 1. The 10 percent of school districts and schools in the state, respectively, with the fewest Smartphone policy violations as a proportion of students shall receive a certificate signed by, or with a facsimile signature of, the governor and state superintendent of education for excellence in Smartphone policy compliance.
- d. Each year, the office of the state superintendent of education shall review the summaries of each school district, provide additional support, and take remedial action, as necessary, to school districts and schools the superintendent deems to have an unacceptably high frequency of violations of Smartphone policies.
- e. Each school district shall establish a policy to provide rewards for students who have complied with the terms of this policy document. Such rewards program shall also provide for grade-level and school-wide rewards for compliance. At a minimum:
 - 1. Students, grade levels, and schools found in compliance for an entire school year shall receive a reward under the terms of the reward program;
 - 2. Students with no violations of this policy document for an entire school year shall receive a certificate or other physical recognition of perfect compliance; and
 - 3. Shall incorporate the recommendations of the state superintendent of education's feasibility study required under Section 6(f) of this policy document.
- f. No later than the start of the school year following the enactment of this policy document, the state superintendent of education shall create a feasibility study examining a range of rewards for school districts and schools that have achieved high rates of compliance with this policy document. Such study shall review the resources available to provide for rewards and recommend additional funding and other incentives for school districts that adopt a policy requiring the restrictions in Sections 3(d)(1) or (3)(d)(2).
- g. No later than three months following the publication of the feasibility study required under Section 6(f), the state superintendent of education shall implement a reward and incentive program, incorporating the findings of the feasibility study, for school districts that adopt a policy requiring the restrictions in Sections 3(d)(1) or (3)(d)(2) and for school districts that have achieved high rates of compliance with this policy document.
- h. This policy document shall take effect in [X] months, or at the start of the next school year following its enactment, whichever is later.



Section 7: Exceptions for Medical Conditions

- a. Requests for Medical Exceptions from this policy document shall be governed by the school district's policy, process, and body for reviewing applications for reasonable accommodations made under Section 504 of the Rehabilitation Act of 1973.
- b. To the extent permitted under state and federal law, a Medical Exception to some or all of the terms of this policy document or a school district's Smartphone policy may be granted only upon the submission of a formal written request by the student's parent or guardian, accompanied by a letter from a licensed physician.
- c. To the extent permitted under state and federal law, requests for a Medical Exception shall be denied if a reasonable accommodation is available to meet the student's medical needs without granting access to a Smartphone.
- d. If no suitable reasonable accommodation or alternative to Smartphone use is available, the Medical Exception shall be granted.
- e. Reviews of applications for Medical Exceptions shall be completed in accordance with the time permitted for applications for reasonable accommodations made under Section 504 of the Rehabilitation Act of 1973.
- f. Decisions shall be subject to appeal to the same extent as decisions made under Section 504 of the Rehabilitation Act of 1973.

Section 8: Severability

The provisions of this policy document are hereby declared to be severable. If any provision of this policy document or the application of such provision to any person or circumstance is declared or held to be invalid for any reason, such declaration or holding shall not affect the validity of the remaining portions of this policy document and the application of its provisions to any other persons or circumstances.

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