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BILL: SB 0130

TITLE: County Boards of Education - Student Cellular Device Use Policy - Established

DATE: January 29, 2025

POSITION: Oppose

COMMITTEE: Senate Education, Energy, and the Environment Committee

CONTACT: Mary Pat Fannon, Executive Director, PSSAM

The Public School Superintendents' Association of Maryland (PSSAM), on behalf of all twenty-four local school superintendents **opposes** Senate Bill 130.

This bill requires each local board of education to develop and adopt a policy that (1) prohibits the use of cellular devices by students during instructional time; (2) requires students to store their cellular phone in a secure storage container during instructional time; and (3) includes appropriate disciplinary measures for violations of the policy. Under the bill, instructional time includes any time during the school day, except a student's lunch period and cellular device includes any portable wireless communication device, smartphones, tablets, or wearable devices. A policy developed in accordance with the bill may not prohibit a student from using a cellular phone (1) for any purpose documented in the student's individualized education program or Section 504 plan; (2) to monitor or address a student's health issue that has been documented by an educator or administrator; or (3) when directed by an educator or administrator for educational purposes. The bill takes effect July 1, 2025.

Maryland superintendents appreciate the good intentions of this bill; however, PSSAM steadfastly opposes any legislation that imposes statewide mandates on local school systems or local boards of education, especially on policies that have previously been deliberated at the local level with all affected stakeholders, such as the case regarding student uses of cellphones.

In the past several years, superintendents, school boards and advisory groups in 19 out of the 24 Local Education Agencies (LEAs) have taken proactive action to establish, update, or study district-wide cell phone policies. These efforts include establishing new policies specific to the use of cell phones, updating board policies, revising the district's code of conduct or student handbook regarding the use of technology to include cellphones or "smart" technology, and/or introducing pilot programs. Currently, 5 LEAs also have pilot programs underway to study the impact of varying levels of cell phone restrictions during the school day. Much of the local work was done through surveys to parents, teachers, and students, as well as extensive public meetings.

In addition, the Maryland State Department of Education (MSDE), under the State Superintendent's leadership, has recently convened a broad workgroup of stakeholders, including superintendents, to study the use of cellphones in schools with the goal of recommending guidance for State Board adoption in the next several months. We support this workgroup and its on-the-ground membership to study this complex issue utilizing the newly released guidance from the U.S. Department of Education, as well as reflecting on the experiences of the local school districts who have already reached deep into their communities to determine the appropriateness of the use of cell phones and "smart technology" in the classroom and in schools.

PSSAM remains committed to focusing on empowering local decision-making to ensure that education policies are relevant, flexible, and reflective of the unique needs of each community. Again, we appreciate the bill's good intentions, but we ask the Legislature to continue to allow the education experts at the local level, as well as the MSDE-convened workgroup, to continue to examine this issue to determine the most effective public policies.

For these reasons, PSSAM **opposes** Senate Bill 130 and kindly requests an **unfavorable** report.