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BILL: HB 0192

TITLE: County Boards of Education - Student Cellular Phone Use Policy -
Established (No Distracted Learning Act)

DATE: January 29, 2025

POSITION: Oppose

COMMITTEE: House Ways and Means 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** House Bill 192.

This bill requires county boards of education to adopt a policy that prohibits students from using a cell phone during certain school hours except under certain circumstances. Student cellular phone use policy for elementary and middle schools shall prohibit the use or display of a cellular phone during (1) instructional time (2) the student's lunch period and (3) if applicable, a passing period. The student cellular phone use policy for high school students shall prohibit the use and display of cellular phones during (1) instructional time and (2) if applicable, a passing period. Such policy may *not* prohibit a student from using a cellular phone for any purpose documented in a student's Individualized Education Program (IEP), a section 504 plan, to monitor or address a student's documented health issue or when directed by an educator or administrator for educational purposes. A student in violation of a policy established under this section is subject to (1) a first violation, a warning (2) for a second violation, confiscation of the cellular phone and (3) for any subsequent violations, a disciplinary action established by the county board.

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** House Bill 192 and kindly requests an **unfavorable** report.