

SB0079 – County Boards of Education – Student Technology Use Policy – Requirements

Position: FAVORABLE WITH AMENDMENTS (Disability Safeguards Required)

Chair and members of the Committee:

I'm a Maryland parent and special education advocate. I support reasonable limits on student device use during school hours **only if disability safeguards are explicit and enforceable**. As written, SB0079 risks creating **abuse of power, discriminatory discipline, and preventable conflict**, because students with disabilities are too often treated as an exception on paper but punished in practice.

What the bill does

SB0079 requires every county board to adopt a policy that:

- prohibits personal device use in elementary/middle school
- limits personal device use in high school
- allows exceptions for IEP/504 documented purposes or documented health issues
- requires enforcement procedures, including disciplinary measures such as in-school suspension

Why this impacts special education differently

Students with disabilities disproportionately rely on personal devices for **access, communication, behavior regulation, and health and safety**—often in ways staff do not immediately recognize.

This includes:

- AAC apps or communication supports (even when a student uses speech sometimes)
- executive functioning supports (timers, reminders, visual schedules, task initiation tools)
- anxiety regulation tools (breathing apps, structured breaks, sensory regulation supports)
- reading/writing access tools (text-to-speech, speech-to-text, audiobooks)
- safety tools (GPS/location sharing for elopement risk, check-ins, crisis communication)
- diabetes monitoring and other health monitoring tools

The bill's exception language is necessary—but not sufficient—because **the harm happens at enforcement**.

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How this leads to abuse of power and conflict

SB0079 requires enforcement policies and explicitly includes discipline such as in-school suspension.

That is where power can be misused.

Here's what happens in real schools:

1. A student with a disability uses a device for regulation or access.
2. Staff interpret it as “noncompliance” or “defiance.”
3. The student is disciplined.
4. The parent objects and points to the IEP/504 or disability need.
5. The school responds: “The policy is the policy.”
6. Now we have conflict, exclusion, instructional loss, and potentially discriminatory discipline.

This cycle happens because the bill does not clearly require that:

- staff are trained on disability-related device use
- enforcement is individualized and consistent with IDEA/504
- discipline cannot be used as a workaround for unmet supports
- parents receive notice and a path to correct implementation problems quickly

The key gap: SB0079 creates a discipline pipeline without guardrails

The bill **encourages districts to write “strict” enforcement rules** and allows in-school suspension as a response to device violations.

For students with disabilities, this becomes a pipeline to:

- repeated removals from instruction
- missed services
- increased behavior incidents
- manifestation issues
- escalation to exclusionary discipline

A device policy must not become a **behavior control tool** that ignores disability needs.

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Amendments needed to protect students with disabilities

If the Committee advances SB0079, it must be amended to include the following safeguards:

1) Disability-first enforcement standard

Add language requiring that enforcement **must be consistent with IDEA and Section 504**, including implementation of accommodations, supplementary aids/services, and behavior supports.

2) No discipline for disability-related use

Prohibit discipline when the device use is reasonably connected to:

- IEP/504 accommodations
- documented disability-related regulation needs
- documented health/safety needs

3) Immediate parent notice + rapid correction path

Require written notice to parents within 24 hours of:

- any device confiscation involving an IEP/504 student, or
- any disciplinary action tied to a device issue

And require an expedited school-based review process (e.g., within 5 school days) to correct misapplication.

4) Staff training requirement

Require annual training for staff on:

- disability-related device usage
- AAC and assistive technology basics
- avoiding discriminatory discipline patterns

5) Data transparency to prevent discriminatory enforcement

Require districts to track and publicly report (de-identified):

- device-related discipline by disability status/IEP/504

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- repeated removals of students with disabilities for device violations
- instructional time lost due to device enforcement

Without data, inequity stays invisible.

Closing

SB0079 is being framed as a simple “kids on phones” issue. In special education, it becomes an **access and equity** issue. A policy that increases discipline without disability guardrails will predictably harm students with disabilities and fuel conflict between families and schools.

I urge a **FAVORABLE WITH AMENDMENTS** vote to ensure disability access, safety, and protections are explicitly built into enforcement.

Respectfully submitted,

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Why Student Device Restrictions Impact Students With Disabilities

Bill: SB0079 – Student Technology Use Policy

Purpose of this attachment: Explain how device restrictions can unintentionally limit access for students with disabilities and increase conflict when safeguards are not explicit.

Why this matters

For many students with disabilities, personal devices are not “phones for fun.” They can function as **assistive technology, communication support, health/safety tools, or executive functioning supports**. If policies are enforced rigidly, schools may unintentionally create barriers to access and increase avoidable discipline incidents.

Real examples of disability-related device use

1) Communication (AAC)

- Speech-generating communication apps
- Picture-to-speech tools
- Typing-to-speak supports
Impact if restricted: student may be unable to communicate needs, distress, or safety concerns in real time.

2) Assistive Technology (AT) for learning

- Text-to-speech / speech-to-text
- Audiobooks and reading supports
- Writing supports and accessibility tools
Impact if restricted: student loses access to curriculum and may fall behind or experience increased frustration behaviors.

3) Executive Functioning supports (EF)

- Timers, reminders, visual schedules
- Task initiation/completion prompts
- Self-regulation tools (structured coping prompts)
Impact if restricted: increased dysregulation, missed transitions, and escalation that may

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be mislabeled as “defiance.”

4) Health and medical monitoring

- Diabetes monitoring alerts (CGM-related notifications)
- Seizure alerts or other documented health supports
- Medication reminders (when part of a documented plan)
Impact if restricted: health and safety risk, delayed response, and preventable emergencies.

5) Safety needs (including elopement risk)

- Safety check-ins when included in a plan
- Location/safety supports used to prevent wandering risk
Impact if restricted: increased risk during a crisis event or safety incident.

Where conflict and “abuse of power” shows up

Even with exceptions listed, problems happen when:

- staff are not trained to recognize disability-related device use, or
- enforcement relies on discretion without a clear disability-first standard, or
- discipline is applied before checking IEP/504 accommodations or documented needs.

This can lead to:

- unnecessary removals from instruction
- increased disputes between families and schools
- inconsistent enforcement across schools and students
- avoidable barriers for students who already face access gaps

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What protects students and reduces conflict

To ensure SB0079 improves learning conditions without harming students with disabilities, policies should include:

- **Clear disability-first enforcement:** IEP/504 needs and documented supports must be considered before discipline.
- **Training:** staff training on AAC/assistive technology and disability-related supports.
- **Parent notice + rapid correction path:** a quick process to resolve disputes when a device is used for access/health/safety.
- **Data transparency:** districts track device-related discipline impacts by disability status to monitor equity.

Key takeaway: A policy can reduce distractions *and* protect students with disabilities—but only if safeguards are explicit, enforceable, and implemented consistently.