

Section 9-11.6. General Statement of Policy; Superintendent to develop regulations; notice requirement. —

A. Excessive smartphone use among youth is linked to increased anxiety, depression, and other mental health issues. A recent Pew Research Center survey from October 17, 2023 thru November 14, 2023 found that 72% of high school and 33% of middle school teachers report cell phone distractions as a major problem. Common Sense Media in researching student conduct between August 2022 and November 2022 found that 97% of students use their phones during the school day for a median of 43 minutes. Combined with the U.S. Surgeon General's warning about the risks of social media, it is urgent to provide reasonable guardrails for smartphone use in schools. It is the stated policy of the School Board to limit the use of cell phones and other portable communication devices in Suffolk Public Schools consistent with the Governor's Executive Order 33 by the creation of a cell phone-free education environment.

B. The school superintendent is hereby directed to adopt regulations governing use of cell phones and all other portable communication devices in Suffolk Public Schools. Regulations of the school superintendent must be consistent with but can be more comprehensive than guidance provided by the Virginia Department of Education. Regulations must include the following restrictions regarding use of cell phones and all other portable electronic communication devices in Suffolk Public Schools.

1. Cell phones and all other personal electronic communication devices are not to be used by elementary students and middle school students within the school building or on school grounds during the school day but are to be stored as provided for by the elementary school or middle school unless

- (a) the student has a medical condition that requires use of a cell phone or other personal electronic communication device during the school day;
- (b) the student has an Individualized Education Program, 504 Plan, or Health Plan that specifies use of a cell phone or other personal electronic device during the school day;
- (c) the student uses an electronic communication device for translation services; or
- (d) to deny the student use of a cell phone or other personal electronic communication device during the school day would result in injury to the student's health, safety or normal development.

2. High school students are not allowed to make use of cell phones or other personal electronic communication devices during the bell-to-bell school day, unless requested by the student's parent or guardian when

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- (a) the student has a medical condition that requires use of a cell phone or other personal electronic communication device during the school day;
- (b) the student has an Individualized Education Program, 504 Plan, or Health Plan that specifies use of a cell phone or other personal electronic device during the school day;
- (c) the student uses an electronic communication device for translation services; or
- (d) to deny the student use of a cell phone or other personal electronic communication device during the school day would result in injury to the student's health, safety or normal development.

Unless one of the listed exceptions applies, elementary students are not allowed to use cell phones or other personal electronic communication devices within school buildings or school grounds during the school day.

However, outside of the bell-to-bell instructional time, high school students are permitted to make use cell phones and other personal electronic communication devices on any high school campus of Suffolk Public Schools.

3. Whenever there is request for a student to use a cell phone or other personal electronic communication device during the school day under subsection 1(a), 1(d), 2(a), or 2(d), medical documentation in writing from a licensed physician, psychiatrist, or psychologist stating that the student needs to use a cell phone or other personal electronic communication device during the school day must be provided to the school.

C. The school superintendent is required to ensure adequate notice is provided to all students enrolled in Suffolk Public Schools, their parents and guardians and the general public of regulations promulgated by the school superintendent and/or guidelines developed by individual schools governing use of cell phones and other portable communication devices in Suffolk Public Schools.

Legal Authority — Virginia Code Section 22.1-78, Executive Order 33, Guidance for Cell Phone-Free Education Pursuant to Executive Order 33 (September 16, 2024).