

Ordinance 2025/26-4

Section 9-11.6. General Statement of Policy; Definitions; cell phone use by elementary and middle school students; cell phone use by high school students; when medical documentation required; enforcement of policy; cell phone violation not grounds for suspension or expulsion; limited use exception; superintendent to develop regulations. — 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 and Virginia Code § 22.1-79.3:1.

B. As used in this policy:

"Bell to bell" means after the first bell rings at the start of the school day to begin instructional time until the dismissal bell rings at the end of the school day. "Bell to bell" includes lunch and time in between class periods.

"Smart device" means any personal electronic device that can connect to the Internet and wirelessly to collect, process, and transmit data, including, but not limited to, smart watches, tablets, headphones and earbuds.

C. 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, Health Plan or Limited English Proficiency Plan that specifies use of a cell phone or other personal electronic device during the school day to address a health concern, or as an accommodation or assistive technology support;
- (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

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result in injury to the student's health, safety or normal development.

D. 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:

- (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, or Limited English Proficiency Plan that specifies use of a cell phone or other personal electronic device during the school day to address a health concern, or as an accommodation or assistive technology support;
- (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.

E. Whenever there is request for a student to use a cell phone or other personal electronic communication device during the school day under subsection C(a), C(d), D(a), or D(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.

F. The enforcement and implementation of this policy; (i) is the responsibility of the school administration; (ii) should not conflict with the instructional responsibilities of teachers; (iii) should not disturb instructional time; and (iv) should not involve any school resource officer employed by Suffolk Public Schools.

G. Students cannot be suspended or expelled from school attendance pursuant to Virginia Code § 22.1-277 for a lone violation of the cell phone and smart device possession and use policy. Any violation of the cell phone and smart device possession and use policy that involves, coincides with, or results in an instance of disruptive behavior, as that term is defined in Virginia Code § 22.1-276.01, must be addressed in accordance with the regulations of the code of student conduct adopted by the School Board pursuant to subsection B of Virginia Code § 22.1-279.6

H. Unless one of the listed exceptions applies as set forth in this policy, elementary school students, middle school students and high school 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, elementary school students, middle school students, and high school students are

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permitted to use cell phones and other personal electronic communication devices on any school campus of Suffolk Public Schools, provided such use does not violate; (1) policies of the School Board; (2) regulations of Suffolk Public Schools; (3) laws of the Commonwealth, which include, but are not limited to, bullying as that term is defined in Virginia Code § 22.1-276.01 or harassment in violation of Virginia Code § 18.2-427; or (4) result in distractions or disruptions to the learning environment.

J. The school superintendent is hereby directed to adopt regulations governing use of cell phones and all other portable communication devices in Suffolk Public Schools consistent with Virginia Code § 22.1-79.3:1. 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. 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. (Ordinance 24/25-78, Approved: December 12, 2024, Ordinance 24/25-82, Revised Effective: February 13, 2025)

Legal Authority — Virginia Code §§ 22.1-78, 22.1-79.3:1 and 22.1-277; Virginia Code Executive Order 33, Guidance for Cell Phone-Free Education Pursuant to Executive Order 33 (September 16, 2024).