

# NATIONWIDE CALLS TO BAN PHONES IN K-12 SCHOOLS: KEY CONSIDERATIONS FOR PRIVATE SCHOOLS ON WHETHER TO ADOPT A PHONE-FREE POLICY

Insights  
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States and public school districts across the country are pushing for cellphone bans in schools, claiming that the devices cause major classroom distractions and other negative effects on students. As a growing number of schools consider phone-free policies and legislators call for statewide action, many private schools are also facing pressure from all sides. We'll look at the pros and cons of eliminating smartphones and other similar devices in school settings and give you the key factors to consider if your school is developing this type of policy.

## Phone-Free Schools: A Growing Trend

A Los Angeles public school board made headlines in June by [approving a resolution to create "truly phone-free school days"](#) – emphasizing the harmful effects of excessive cellphone use on student's mental health and academic performance. The district is expected to create a comprehensive implementation policy that will take effect in January 2025. While L.A. Unified is one of the largest districts in the country to move forward with such a ban, it is hardly the only one.

In May, the Village School of Naples, a private school in Florida, reported positive student outcomes two years after implementing a policy banning mobile phone use during the school day (as well as a policy requiring each student to participate in a sports or arts program). [According to a school official](#), "students' mental wellbeing has improved by 94 percent as measured in the amount of mental health interventions required, and academic achievement has

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increased significantly as measured in standardized test scores."

Beyond school policies, state lawmakers and governors (such as in California and New York) are calling for legislation that would ban or restrict smartphones in public and charter schools. In addition, some states, like [Florida](#) and [Indiana](#), already have laws in place regulating wireless communication devices in public schools. The Florida law also requires public schools to "prohibit and prevent students from accessing social media platforms through the use of Internet access provided by the school district," except for educational purposes as directed by a teacher. (And [a new Florida law](#) goes beyond the school context. The law, which is set to take effect on January 1, prohibits children under age 14 from holding social media accounts and requires parental consent for 14- and 15-year-olds.)

### **Pros and Cons of Banning or Restricting Phones in School**

Proponents of phone-free schools claim that bans reduce classroom distractions, curb cyberbullying, boost student engagement, and promote healthy social development. Many campaigns also point to the youth mental health crisis stemming from social media use and put a special emphasis on banning smartphones with access to those platforms. This last point was again put under the spotlight after the [U.S. Surgeon General called for warning labels on social media platforms](#) due their harmful effects on adolescents.

On the other hand, opposers of no-phone rules in schools say that the bans are difficult to enforce, take away opportunities for incorporating new technologies into the learning process, and don't allow students the opportunity to learn. Some of the biggest pushback has come from parents who fear being unable to reach their children during an emergency or nightmare scenario like a school shooting.

Your school will need to carefully think through the pros and cons of implementing any sort of phone policy and should consider the perspectives of your students, their families, and the wider school community early on in the process.

### **Key Considerations for Your School Policy**

If you decide that a "no-phone" policy is right for your school, here are some key factors to consider when designing and implementing your policy:

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- **Type of Devices.** You will need to decide what types of devices you would like to ban or restrict during the school day and then make that clear in your policy. For example, will your policy apply to all cellphones or only smartphones with internet capabilities? What about other devices, such as tablets or smartwatches?
- **Ban vs. Restrictions.** You will also need to choose whether you want to completely ban the devices or permit students to carry them subject to restrictions on when and how they may use them. Many schools already restrict student cell phone use to non-structured times of the day such as lunch, breaks, and free periods, but such policies may be more difficult to enforce than a complete ban.
- **Secured Phone Bags.** Some schools have opted to require students to deposit their devices in secured, locked bags when they arrive on campus and retrieve them before they head home. Other schools offer this option at the classroom level based on each teacher's discretion, requiring students to secure their device prior to class and retrieve it after. This method can achieve the goal of phone-free school days or classes while also enabling students to carry devices during their commutes to and from school – which may give parents peace of mind and help logistical issues. If you go this route, your policy should spell out the procedures for storing and retrieving devices.
- **Age Groups.** Do you want your policy to apply to all students or only certain age groups, such as primary or middle school students? Will the policy apply uniformly to all students, or will the policy vary for different divisions?
- **Enforcement.** For your policy to be effective, it should cover how it will be enforced. For example, will you designate staff members to do periodic checks for banned devices or will teachers simply confiscate devices if they see one being used in violation of the policy?
- **Consequences for Violations.** Your policy should set forth the range of consequences that students will face for violating the policy. Those consequences might vary depending on age levels and might include a tiered system for first-time versus repeat offenses.
- **Exceptions.** There may be exceptions or reasonable accommodations that are needed for students with certain

medical conditions. For example, students with diabetes often rely on their phone to monitor their insulin levels.

## Conclusion

Fisher Phillips will continue to monitor any further developments in this area as they occur, so make sure you are subscribed to [Fisher Phillips' Insight System](#) to gather the most up-to-date information. If you have questions about implementing a phone policy, please contact your Fisher Phillips attorney, the authors of this Insight, or [any member of our Education team](#) for more information.