

STATE OF NEW YORK

770

2025-2026 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 8, 2025

Introduced by M. of A. EPSTEIN -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to requiring school districts to adopt a policy prohibiting the use of cellular telephones during classroom instruction

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The education law is amended by adding a new section 2801-c
2 to read as follows:

3 § 2801-c. Cellular telephone policy. 1. The department shall, no later
4 than December thirty-first, two thousand twenty-five, create and
5 publish, and update every five years, a model policy that school
6 districts may utilize in their adoption of a policy to prohibit the use
7 of cellular telephones by students during classroom instruction. The
8 development of the model policy shall involve significant stakeholder
9 participation including students, parents, and educators in the state.
10 The model policy may also include enforcement mechanisms that limit
11 access to cellular telephones. Such model policy shall provide
12 exceptions to the prohibition of cellular telephones, including but not
13 limited to:

14 a. in the case of an emergency, or in response to a perceived threat
15 of danger;

16 b. when a teacher or administrator of the school district grants
17 permission to a student to possess or use a cellular telephone, subject
18 to any reasonable limitation imposed by that teacher or administrator;

19 c. when a licensed physician determines that the possession or use of
20 a cellular telephone is necessary for the health or well-being of the
21 student; and

22 d. when the possession or use of a cellular telephone is required in a
23 student's individualized education program.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

LBD00655-01-5

1 2. No later than July first, two thousand twenty-six, the board of
2 education or the trustees, as defined in section two of this chapter, of
3 every school district within the state, however created, and the chan-
4 cellor of the city school district of the city of New York shall adopt,
5 and update every five years, a district policy prohibiting the use of
6 cellular telephones by students during classroom instruction. Such
7 district policy shall be an adoption or modification of the model policy
8 developed by the department pursuant to subdivision one of this section.

9 § 2. This act shall take effect immediately.