

# **WEST VIRGINIA LEGISLATURE**

## **2025 REGULAR SESSION**

### **ENROLLED**

**Committee Substitute**

**for**

**Committee Substitute**

**for**

**House Bill 2003**

BY DELEGATE HANSHAW (MR. SPEAKER)

(BY REQUEST OF THE EXECUTIVE)

Passed April 10, 2025; in effect 90 days from passage

July 9, 2025)]



1 AN ACT to amend the Code of West Virginia, 1931, as amended, by adding a new section,  
2 designated §18-2-46, relating to the limitation of cell phones in classrooms; providing for  
3 a purpose and application; creating definitions; creating a prohibition of personal electronic  
4 devices during instructional time; setting forth minimum requirements for county board of  
5 education policies; and providing for severability.

*Be it enacted by the Legislature of West Virginia:*

## **ARTICLE 2. STATE BOARD OF EDUCATION.**

### **§18-2-46. Limitation on cell phones in classrooms; rule-making.**

1 (a) *Purpose.* – Personal electronic devices contribute to a negative classroom  
2 environment with increased concerns relating to distractions, academic misconduct, bullying  
3 and/or harassment and other inappropriate behaviors. Concerns regarding the mental health of  
4 students with unfettered access to personal electronic devices are well-documented and are  
5 believed to prohibit the age-appropriate development of relationships, study skills, and other  
6 necessary skills to be successful.

7 (b) *Application.* – County boards of education shall develop a policy that includes, but is  
8 not limited to, the requirements established in this policy for implementation at the beginning of  
9 the 2025-2026 school year.

10 (c) *Definitions.* –

11 (1) "Personal Electronic Device" means any portable device capable of wireless  
12 communication or computing including, but not limited to, cellular phones, tablets, laptops,  
13 smartwatches, and portable gaming systems not provided by a county board of education.

14 (2) "Instructional Day" means the period of time from the start of the first instructional  
15 period to the end of the last instructional period, including transition times between classes.

16 (3) "Classroom Setting" means an environment where instruction or activities related to  
17 the school curriculum are occurring including, but not limited to, general classrooms, gymnasiums,  
18 common areas, or any other area where instruction may occur.

19           (d) *Prohibition of Personal Electronic Devices During Instructional Time.* – As personal  
20 electronic devices are a privilege and are not contributable to the appropriate development and  
21 growth of students, all personal electronic devices shall not be accessible to students for use in a  
22 classroom setting during instructional time, with the exception of exemptions set forth in this  
23 policy.

24           (e) *Minimum Requirements for County Board of Education Policies.* – County boards of  
25 education are required to adopt a policy that includes, but is not limited to, the following:

26           (1) Whether personal electronic devices will or will not be permitted on school property.

27           (2) If a county board decides that personal electronic devices will be permitted on school  
28 property, its policy must include a procedure for storing the devices that specifies where and how  
29 the devices will be stored during the instructional day.

30           (3) If a county board decides that personal electronic devices will be permitted on school  
31 property, students may be required to store the devices in containers or pouches provided by the  
32 county board.

33           (4) County boards of education policies shall include the following exemptions:

34           (A) Students with an approved documented need, as required by a medical doctor or  
35 licensed healthcare professional or as a requirement of an Individualized Education Plan (IEP) or  
36 504 plan, the student's health care provider's medical orders, or other written accommodation  
37 plan, may have access to personal electronic devices if the device relates to the student's specific  
38 need. An exemption related to a student's IEP, 504 plan, medical order, or other written  
39 accommodation shall include a timeline of the required exemption and specify what electronic  
40 device(s) shall be included in the exemption.

41           (B) County boards of education may include permission of specific personal electronic  
42 devices as related to the requirements of a county board of education approved work-based  
43 learning program. The approval shall include the specific course and purpose for which an  
44 electronic device may be used.

45 (5) County boards of education policies shall include consequences for students  
46 determined to have violated the policy including, but not limited to, the following:

47 (A) Penalties for a first offense, a second offense, and subsequent offenses;

48 (B) Confiscation of a student's personal electronic device(s) for violation of the policy  
49 and/or require the student's parent/guardian to retrieve the device(s); and,

50 (C) Prohibiting an individual student from possessing any device if previous misuse has  
51 been documented. However, if a student is prohibited from possessing electronic devices on  
52 school property, a conference shall be offered to the parent/guardian to discuss the reasoning for  
53 the prohibition.

54 (6) County board of education policies shall require schools to document all violations of  
55 the policy in the West Virginia Education Information System (WVEIS).

56 (7) County boards of education shall make reasonable efforts to ensure that information  
57 related to acceptable use of personal electronic devices is disseminated to students and their  
58 parents/guardians including posting signs on school property and publishing the information in  
59 student handbooks, newsletters, social media, and county or school websites.

60 (8) The Local School Improvement Council (LSIC) of each school shall annually discuss  
61 the progress of implementing the county board's personal electronic device policy. The LSIC shall,  
62 at a minimum, review the relevant discipline data and make recommendations designed to  
63 promote student compliance with the policy.

64 (9) County boards shall require each school to develop and publish protocols regarding  
65 how parents/guardians may communicate with their children in a manner that does not distract  
66 the student in the learning environment. This may include, but is not limited to, establishing  
67 specific times when personal electronic devices are permissible, utilizing office staff to  
68 disseminate information from the parent/guardian, or any other applicable strategy designed to  
69 minimize disruption during instructional time.

70           (f) *Severability*. – If any provision of this policy or the application thereof to any person or  
71   circumstance is held invalid, such federal legislation or invalidity shall not affect other provisions  
72   or applications of this policy.

The Clerk of the House of Delegates and the Clerk of the Senate hereby  
certify that the foregoing bill is correctly enrolled.

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*Clerk of the House of Delegates*

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*Clerk of the Senate*

Originated in the House of Delegates.

In effect 90 days from passage.

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*Speaker of the House of Delegates*

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*President of the Senate*

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The within is ..... this the.....  
Day of ....., 2025.

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*Governor*