

WEST VIRGINIA LEGISLATURE

2025 REGULAR SESSION

Introduced

Senate Bill 672

By Senator Rucker

[Introduced March 4, 2025; referred
to the Committee on Education]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new section,
2 designated §18-2-15, relating to the State Board of Education; requiring students in grades
3 K through 12 to deposit their mobile phones in a secure container during instructional time;
4 and providing exceptions for students who may have a need for their mobile device (for
5 example, students with diabetes or other medical conditions who require access to their
6 cell phone for medical purposes) or have permission from a teacher to use the mobile
7 device for educational purposes.

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

ARTICLE 2. STATE BOARD OF EDUCATION.

§18-2-15. Possession and use of mobile devices.

1 (a) Definitions. -- As used in this section:

2 "Instructional time" means time during which students are participating in an approved
3 course, curriculum, or other educationally-related activity under the direction of a teacher. The
4 term does not include a period of time between classes, lunch, or recess.

5 "Mobile device" means a personal mobile telephone or other portable electronic
6 communication device, not owned by a public school entity or issued by a public school entity to a
7 student, with which a user can engage in a call or write or send a message. The term also includes
8 a device in which the user can play a game or watch a video.

9 "Public school entity" includes all public schools in this state, except for charter schools
10 operating pursuant to §18-5G-1 et seq..

11 (b) Possession and Use of Mobile Devices:

12 (1) Except as otherwise provided in this section, a student of a public school entity may not
13 possess or use a mobile device during instructional time in a school building of the public school
14 entity.

15 (2) The State Board of Education and each county board of education shall adopt policies
16 and procedures that establish a student cell phone use policy. These policies and procedures shall

17 restrict or eliminate cell phone use during instructional time.

18 (3) The policies and procedures adopted under subdivision (2) of this section shall specify
19 procedures for:

20 (A) A student to deposit their mobile device in a lockbox, case, pouch with a locking
21 mechanism, or other secure location during instructional time in a school building owned by the
22 public school entity;

23 (B) A student to retrieve their mobile device from the lockbox, case, pouch with a locking
24 mechanism, or other secure location;

25 (C) Students and parents to contact one another during instructional time; and

26 (D) Not limit a student's use of a mobile device when such student is a member of a
27 volunteer fire company, ambulance or rescue squad; has a need for the mobile device due to the
28 medical condition of the student or an immediate family member of the student; has a disability
29 and use of a mobile device is required by the students individualized education plan; is an English
30 language learner and uses the mobile device for translation purposes; or has permission from a
31 teacher to use a mobile device for educational purposes during instructional time.

32 (4) A public-school entity may specify additional circumstances, beyond those listed in
33 subparagraph (D) this section, to permit mobile device use during instructional time.

34 (5) The policies and procedures described in this section shall be adopted at an open
35 meeting where members of the public have the opportunity to provide feedback.

36 (6) At the beginning of each school year, public school entities shall inform parents,
37 teachers, and students of the policy adopted under subdivision (2) of this section and any changes
38 to it since the previous school year, if applicable.

NOTE: The purpose of this bill is to require students in K through 12 to deposit their mobile phones in a secure container during instructional time; providing exceptions for students who may have a need for their mobile device (for example, students with diabetes or other medical conditions who require access to their cell phone for medical purposes) or have permission from a teacher to use the mobile device for educational purposes.

Strike-throughs indicate language that would be stricken from a heading or the present law

and underscoring indicates new language that would be added.