

COMMUNITY EDUCATION COUNCIL District 28

Resolution urging NYCPS Schools to Clearly Communicate with Families Regarding The Internet-Enabled Devices Policies and the School's Implementation Strategy Immediately

APPROVED at the **September 4th, 2025 Calendar Meeting** by a vote of the CEC D28 voting members present at the time of the vote (8 in favor / 1 opposed / 0 abstain / 1 absent)

Sponsors: Chantel Chambers, Quentin Mezetin

Co-Sponsors: Olessia Baur, Annie Cok

WHEREAS, in May 2025, New York State Governor Kathy Hochul signed into law an amendment to the state's Education Law (the "Law") restricting the use of smartphones during the school day¹; and

WHEREAS, this new statute of N.Y. Education Law § 2803 requires "*each school district, charter school, and board of cooperative educational services*" to adopt a written policy prohibiting the use of internet-enabled devices by students during the school day anywhere on school grounds; and

WHEREAS, in the statute, "*internet-enabled devices*" includes "*any smartphone, tablet, smartwatch, or other device capable of connecting to the internet and enabling the user to access content on the internet, including social media applications*"; and

WHEREAS, the term "*school day*" is defined as "*every instructional day ... during all instructional time and non-instructional time, including, but not limited to homeroom periods, lunch, recess, study halls, and passing time*"; and

WHEREAS, "*school grounds*" is defined to include any building or land "*within the real property boundary line*" of the school; and

WHEREAS, the new statute leaves the matter of implementation to "*each school district, charter school and board of cooperative educational services.*" Each of these entities is required by the new Law "*to adopt a written policy*" implementing the statewide rule. The Law requires these entities to "*consult local stakeholders, including but not limited to the employee organization representing each bargaining unit within the school building, parents, and students in the development of such policy prior to its adoption;*" and

WHEREAS, the policy is required to be posted on the website of each implementing entity - "*school district, charter school and board of cooperative educational services*" - by August 1, 2025; and

WHEREAS, as per the Law, discretion is left to each school's principal to select and develop their own implementation plan for storing smartphones during the day, giving administrators and

teachers the flexibility to do what works best for their buildings and students; and

¹ <https://www.nysenate.gov/legislation/laws/EDN/2803>

WHEREAS, school policies may entail changes to arrival and dismissal procedures; and

WHEREAS, New York City Public Schools (“NYCPS”) conducted engagement sessions over the summer with constituents and parent leaders. These engagement sessions started prior to the State mandate as the city considered a smartphone ban back in 2024; and

WHEREAS, a total of 46% of all NYCPS Schools already had some method of collection and distribution of cell phones throughout the school day as reported to the Citywide Council on High Schools by then-Deputy Chancellor Kenita Lloyd and Chief of Safety and Prevention partnership Mark Rampersant during the summer of 2024; and

WHEREAS, for many schools which only had a partial ban or no ban, discussion around logistics of the implementation for the Law are still ongoing as of early August. Anecdotally, several school principals pondering the best implementation plan for their community reported that pouches are backordered for several months, leading them to contemplate alternative plans to comply with the Law; and

WHEREAS, the State budget allocated some funding to assist all schools with purchasing phone pouches or other storage solutions, including \$4 million for NYCPS, supplemented by another \$25 million from the City, but these funds had yet to be distributed as of mid-July², creating uncertainty for school administrators and potentially schools and families footing the bill for a shortfall, as well a delay in orders for storage devices; and

WHEREAS, the Law contemplates several exemptions to smartphone restrictions, including for students who require access to an internet-enabled device to manage a medical condition, where required by a student's Individualized Education Program (IEP), for academic purposes, or for other legitimate purposes, such as translation, family caregiving, and emergencies; and

-WHEREAS, NYCPS’s communications to families have not been uniform— some schools have communicated with families in advance of the start of school (September 4th, 2025), while others have not; and

WHEREAS, any school policy put into effect at this time will be met with unforeseen challenges, critiques and potential improvements suggested by families and other school community members; and thus, time will be needed to respond to those challenges and to amend the policy; and

THEREFORE, BE IT RESOLVED, that the Community Education Council District 28 urges all principals and parent coordinators – both within District 28 and across the city - to develop 60-day plan (from the start of school) that will not be made into the official school policy until the end of the 60 days to be in full compliance with the Smartphone Ban Law. The plan will start with Principals and Parent coordinators developing a strategy for collecting, securing, and returning students’ smartphones each school day. This strategy should include not only the method of storage, but any changes to arrival/dismissal/lunch procedures, replacement of lost or damaged phones or individual storage devices (e.g., “pouches”), the exempt parties, and the

consequences for violation of the policy. Then this strategy will be communicated to parents via email, phone call and/or letter sent to the students' homes and be effective immediately. This implementation of this strategy will be communicated to families via email, phone call or letter sent to the students' homes as soon as possible and go into effect no later than Thursday, September 11th; and

BE IT FURTHER RESOLVED, that at the 30-day mark from the first day of school, which is on or around Friday, October 3rd, 2025, school administrations should collect feedback from families by survey to assess how the school leaders' proposed strategy is working so far, and incorporate improvements to the strategy over the next 14 calendar days.

BE IT FURTHER RESOLVED, that the procedures for securing necessary or legitimate exemptions to smartphone restrictions be clarified for families so that such exemptions are in place on the first day of implementation of the proposed strategy to avoid any disruption or loss of instructional time; and

BE IT FURTHER RESOLVED that by Monday, November 3rd, 2025 (the 60th day) all NYCPS in District 28 will announce their official school policy in compliance with the Law to be communicated to families via email, phone call and/or letter sent home with students.

² https://www.chalkbeat.org/newyork/2025/07/16/nyc-school-cell-phone-ban-funding-kathy-hochul-yondr/?utm_source=Chalkbeat&utm_campaign=c9175dcb8d-New+York+29+million+is+coming+to+NYC+schools+for+c&utm_medium=email&utm_term=0_9091015053-c9175dcb8d-1296402826&mc_cid=c9175dcb8d&mc_eid=14e597ab51