SPONSOR: Sen. Buckson & Rep. K. Williams
Sens. Huxtable, Lawson, Mantzavinos, Pettyjohn, Poore, Sturgeon, Wilson; Reps. Berry, Gorman, Hilovsky, Lambert, Morrison, Ortega, Osienski, Romer, Kamela Smith, Michael Smith, Snyder-Hall, Yearick

DELAWARE STATE SENATE
153rd GENERAL ASSEMBLY

SENATE BILL NO. 106
AS AMENDED BY
SENATE AMENDMENT NO. 2
AND
HOUSE AMENDMENT NO. 2

AN ACT TO AMEND TITLE 14 OF THE DELAWARE CODE RELATING TO CELL PHONE USE IN SCHOOL.

WHEREAS, by the time U.S. children reach age 11, almost 50% have a cell phone; and

WHEREAS, 11- through 17-year-olds participating in a 2022 Common Sense Media study, had their cell phone use tracked for 1 week, and during that time, spent an average of 4.5 hours per day on their cell phones; and

WHEREAS, 97% of those participants used their cell phone during school hours, averaging 43 minutes per school day; and

WHEREAS, according to a 2024 Division of Legislative Services Issue Brief, evidence suggests that use of cell phones during school hours hinders overall learning, contributes to negative school environments, and restricts a teacher's ability to provide effective instruction; and

WHEREAS, a 2023 Pew Research Center online survey of 2,531 U.S. public K-12 teachers found that approximately 72% of public high school teachers stated that distractions caused by cell phones are a major problem in their classrooms, followed by 33% of public middle school teachers; and

WHEREAS, data specific to Delaware yields similar results, with 61% of teachers and staff surveyed by the Department of Education reporting cell phone use in classrooms to be very disruptive and another 19% of teachers and staff reporting it to be moderately disruptive; and

WHEREAS, the 152nd General Assembly funded a School Cell Phone Pilot Program to establish a voluntary school cell phone pouch pilot program for local education agencies serving students in grades 6-12 to provide technology solutions that reduce the usage of cell phone distractions during learning hours; and

WHEREAS, according to Department of Education surveys of teachers, staff, and students conducted after participation in the School Cell Phone Pilot Program, 83% of teachers and staff respondents were in favor of the pouches

DLS : CGW : CM : 3021530052
DLS : HVW : CBM : 5081530076
Released: 01/29/2026 04:03 PM

and 60% of those teachers and staff also reported positive changes in student behavior, student academic performance, or classroom management, while student respondents expressed dissatisfaction with the use of the cell phone pouches; and

WHEREAS, the General Assembly recognizes the importance of improving the learning environment while giving schools the flexibility to explore different solutions that work for them and their students.

NOW, THEREFORE:

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend Subchapter I, Chapter 41, Title 14 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 4124. Cell phone use policy by students during school hours.

(a) For purposes of this section:

(1) "Cell phone" means a portable electronic device used for communication through voice calls, text messages, or Internet access.

(2) "Instructional time" means educator-led time dedicated to teaching and learning."

(b) Each school district and charter school shall adopt a policy, with educator input, about cell phone use by students during school hours that, at a minimum, must include all of the following:

(1) Clear guidelines about what constitutes acceptable cell phone use at school.

(2) A requirement that limits cell phone use during instructional time.

(3) The designation of times and places during which students may use their cell phones at school.

(4) Guidelines that encourage communication between the schools, parents or guardians, and students about the cell phone use policy.

(5) A system of appropriate consequences for violations of the cell phone use policy.

(6) Exceptions that address, and are applicable to, emergency situations and medical or educational accommodations.

(7) A plan to monitor discipline data related to student cell phone use policy violations.

(c) Each school district and charter school shall provide its adopted cell phone policy to the Department.

(d) By August 31, 2026, each school district and charter school shall post its adopted cell phone policy on its website.

(e) Each school district and charter school shall implement and enforce its cell phone policy in a fair and consistent manner. Each school district and charter school is responsible for ensuring that implementation and enforcement is not solely the responsibility of classroom educators.

DLS : CGW : CM : 3021530052 Released: 01/29/2026 04:03 PM
DLS : HVW : CBM : 5081530076

(f) (1) Each school district and charter school may amend its adopted cell phone use policy as needed.

(2) If a school district or charter school amends its cell phone use policy, it shall provide the amended policy to the Department within 90 days of the amendment.

(3) The school district or charter school shall post the amended policy on its website.

(g) The Department shall provide school districts and charter schools with model language that the school districts and charter schools may use to support the development of cell phone use policies.

DLS : CGW : CM : 3021530052
DLS : HVW : CBM : 5081530076
Released: 01/29/2026 04:03 PM