

# SCHOOL LAW

## INFORMATION MEMO

MAY 23, 2025

### NYS School Smartphone Ban

Governor Hochul and the New York State Legislature recently reached an agreement on a “bell-to-bell” smartphone ban in schools. This new legislation will take effect for the 2025-2026 school year and will apply to all schools in public school districts, as well as charter schools and Boards of Cooperative Educational Services (BOCES). The new smartphone ban is an amendment to Section 2803 of the New York State Education Law. Each public school district, charter school and BOCES must adopt an internet-enabled device policy by August 1, 2025.

The law prohibits students from using smartphones and other internet-enabled devices on school grounds for the entire school day (from “bell-to-bell”). “School day” is defined in the law as “the entirety of 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.” However, students will still have access to internet-enabled devices officially provided by the school, such as laptops or tablets, for classroom instruction. Students will be allowed to carry simple phones that cannot access the internet but can send text messages and make phone calls. Additionally, schools will be required to give parents a way to contact their children during the school day if necessary.

There are several exceptions to these restrictions including but not limited to, students who require access to an internet-enabled device to manage a medical condition, students with Individualized Education Programs (IEPs) that mandate access to their device, students who need it for purposes of translation, family caregiving, or students who may need their device in the event of an emergency.

While schools will be required to ensure student smartphones and other internet-enabled devices are not in use throughout the school day, schools will have the flexibility to develop their own plans for storing such devices during the school day. For example, a school may decide to purchase locking pouches to store these devices in. There is a high cost associated with this, but Governor Hochul’s cellphone policy secures \$13.5 million in funding to be made available to schools that need assistance with purchasing solutions so that they are able to comply with this policy. Schools can take other, less costly approaches, at the school’s discretion.

The law states that each public school district, charter school and BOCES “shall not permit the suspension of a student if the sole grounds for the suspension is that the student accessed an internet-enabled device in violation of the policy adopted...” Therefore, when drafting policies, schools must carefully consider the ways in which it can lawfully enforce the new smartphone ban.

For further information and assistance in meeting the requirements of this new legislation, please contact [Candace J. Gomez](#) or the member of Bond’s [school law practice](#) with whom you usually work.

