



20 JAN 16 P4:05

SENATE

S. No. 1271

RECEIVED BY: \_\_\_\_\_

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Introduced by **SENATOR LEILA M. DE LIMA**

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**AN ACT**  
**REGULATING THE USE OF MOBILE PHONES AND OTHER**  
**ELECTRONIC GADGETS TO STUDENTS FROM KINDERGARDEN TO**  
**SENIOR HIGH SCHOOL IN ALL PUBLIC AND PRIVATE SCHOOLS**

**EXPLANATORY NOTE**

The Constitution recognizes the vital role of the youth and our students in nation-building and edicts that the government “shall promote and protect their physical, moral, spiritual, intellectual, and social well-being” (Article II, Section 13). It also mandates the State to “[e]stablish, maintain, and support a complete, adequate, and integrated system of education relevant to the needs of the people and society” (Article XIV, Section 2 [1]).

Education plays a significant role in our nation’s development.

The continuing development and massive rise of new technologies and digital innovations in the 21<sup>st</sup> century never stops evolving. Everything is “mobile” these days. Many things and applications can be accessed on one’s mobile device such as smartphones. We use them for music, videos, web browsing, social media, cameras, gaming, and research, among others. Making life easier and more efficient are just some of the benefits brought about by the advancement of technology.

However, excessive use of mobile devices can also lead to an array of negative effects and hazards. A Japanese study found out that overuse of mobile devices hampers student’s ability to study. The study revealed that unrestrained use of mobile phones poses risks to students, leading them to fare poorly in elementary and junior high school primarily due to lack of sleep that affects their concentration and retention. The study found that students who spent over two hours every day both

studying and using messaging apps scored worse on a math exam than those who studied for less than 30 minutes a day but didn't use a smartphone at all<sup>1</sup>. Aside from negatively affecting the student's learning and comprehension,<sup>2</sup> mobile phones were also found to lead to cyberbullying, when the same were used to take unauthorized and inappropriate photos of other students<sup>3</sup>. Other noted adverse effects include psychological and physiological complications, and mental health issues, which interfere with education, diminish academic performance, and contribute to increase in teenage anxiety, depression and suicide<sup>4</sup>.

The London School of Economics and Political Science, in a 2015 study, found that test scores improved significantly when schools prohibited the use of mobile phones. The said study concluded that "schools could significantly reduce the education achievement gap by prohibiting mobile phone use in schools".

However, acknowledging the reality that we live in a technology-rich world where mobile phones and other electronic devices are an important communication tool and platforms for learning which can bring higher quality teaching and learning<sup>5</sup>, there is also need to balance this goal of increasing student performance with the opportunity to properly integrate the use of mobile devices and electronic gadgets in our educational system.

Confronted with the latest reports that Philippines ranked last among 79 countries in reading comprehension, and the country ending up below ranks 70 in mathematics and science,<sup>6</sup> regulating the use of mobile phones and other electronic gadgets in schools is one of the immediate solutions that the government can take to improve the learning conditions for our students and help them towards better performance in our schools.

This bill mandates the Department of Education (DepEd) to promulgate guidelines regulating the use of mobile devices and electronic gadgets in our public schools. These guidelines shall likewise establish the procedure to be observed in

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<sup>1</sup> Murai, S (1 May 2015) *Overuse of mobile gadgets hampers students' ability to study, sleep*. Retrieved from: <https://www.japantimes.co.jp/news/2015/05/01/national/social-issues/overuse-mobile-gadgets-hampers-students-ability-study-sleep/#.XfBjsOgzblU>. Accessed last 10 December 2019

<sup>2</sup> Rather & Rather (10 April 2019) *Impact of Smartphones on Young Generation*. Retrieved from: <https://digitalcommons.unl.edu/cgi/viewcontent.cgi?article=5938&context=libphilprac>. Accessed last 10 December 2019

<sup>3</sup> Essex, N. (8 January 2013). *The 200 Most Frequently Asked Legal Questions for Educators*. Simon and Schuster. Skyhorse Publishing New York.

<sup>4</sup> Twenge, J. (September 2017) *Have Smartphones Destroyed a Generation?* <https://www.theatlantic.com/magazine/archive/2017/09/has-the-smartphone-destroyed-a-generation/534198/>. Accessed last 10 December 2019

<sup>5</sup> Oxford Learning (22 April 2019) *CELL PHONES IN THE CLASSROOM: LEARNING TOOL OR DISTRACTION*. Retrieved from: <https://www.oxfordlearning.com/should-cell-phones-be-allowed-classrooms/>. Accessed last 10 Dec. 2019

<sup>6</sup> Paris, J. (4 December 2019) *Philippines ranks among lowest in reading, math, and science in 2018 study*. Retrieved from: <https://www.rappler.com/nation/246422-philippines-ranking-reading-math-science-pisa-study-2018>. Accessed last 10 December 2019


cases of abuse of mobile devices and electronic gadgets in the commission of other student misconducts such as cheating and bullying, as well as promote the responsible use of mobile devices and electronic gadgets.

  
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*Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled.*

1       SECTION 1. *Short Title.* – This Act shall be known as the “Regulated Use of  
2       Mobile Phones and Electronic Gadgets in Schools Act”.

3       Sec. 2. *Declaration of Policy.* – It is the policy of the State to promote and  
4       protect their physical, moral, spiritual, intellectual, and social well-being of our youth  
5       and students. Toward this end, policies must be crafted to safeguard the well-being  
6       of our students, enhance their potentials and skills, and eliminate distractions that  
7       prevents them from performing poorly in school and provide them with a more  
8       focused, positive and supportive environment.

9       Sec. 3. *Definition of Terms.* – For the purposes of this Act, the following  
10      terms shall mean:

- 11           a) Mobile Devices - any form of portable electronic devices, such as, but  
12           not limited to, smartphones, cellular phones, tablet computers, smart-  
13           watches and other similar devices which can send, receive and move  
14           data through the internet or wireless connection.

1           b) Electronic Gadgets - any portable electronic device that can enable its  
2           user to make calls, capture photos, stream video and/or play games,  
3           such as, but not limited, to laptops, video game consoles, virtual reality  
4           headsets, smart glasses, wearable cameras and other similar  
5           contraptions.

6           Sec. 4. *Coverage.* – This Act shall apply to all public K-12 institutions under  
7           the control and supervision of the Department of Education (DepEd).

8           Sec. 5. *Regulation of the Use of Mobile Devices in School.* – The DepEd shall  
9           promulgate guidelines regulating the use of mobile devices and electronic gadgets in  
10          the schools covered under this Act. Said rules shall include, at the minimum, the  
11          following:

- 12           1. Prohibition of use of mobile devices and electronic gadgets during class  
13           hours subject to allowable exceptions under the next Section;
- 14           2. Prohibition of use of mobile devices and electronic gadgets in designated  
15           privacy areas, such as bathrooms, gyms, swimming pools, teachers' lounge  
16           and school offices;
- 17           3. Disciplinary action for students in violation of the prohibition on use of  
18           mobile devices and electronic gadgets;
- 19           4. Procedure to be observed in cases of abuse of mobile devices and electronic  
20           gadgets in the commission of other student misconduct, such as cheating,  
21           bullying, cybercrime, and invasion of privacy;
- 22           5. Promotion of responsible use of mobile devices and electronic gadgets,  
23           including during classroom discussions and parent-teacher conferences.

24          It shall be deemed policy to discourage bringing mobile devices and electronic  
25          gadgets in schools except as provided in Section 6 of this Act.

26          Sec. 6. *Exceptions.* –The following exceptions can be granted by the principal,  
27          school director, or by a teacher with the necessary documentation to be identified by  
28          the DepEd:

- 29           a) *Learning-related exceptions*, such as class-based learning activities  
30           requiring the use of such technologies or for students for whom a

1 reasonable adjustment to a learning program is needed because of his  
2 or her disability and/or learning difficulty;

3 b) *Health and wellbeing-related exceptions*, such as students with specific  
4 health condition that may require communication or technology as  
5 certified by a medical doctor;

6 c) *Exceptions related to managing risk* when students are not within the  
7 school premises and unsupervised with parental permission, such as  
8 field trips, on-the-job work immersions, and other related activities  
9 approved by the school administration.

10 Sec. 7. *Implementing Rules and Regulations*. – The Department of Education  
11 (DepEd), in consultation with the Department of Health (DOH), representatives  
12 from the Parent-Teacher Associations and other concerned stakeholders and  
13 government agencies, shall, within Ninety (90) days from the effectivity of this Act,  
14 issue the necessary rules and regulations for the implementation of this Act.

15 Sec. 8. *Separability Cause*. – If any provision of this Act is declared  
16 unconstitutional or invalid, other parts or provisions hereof not affected thereby  
17 shall continue to be in full force and effect.

18 Sec. 9. *Repealing Clause*. – All laws, decrees, executive orders, rules and  
19 regulations and other issuances or parts thereof inconsistent with the provisions of  
20 this Act are hereby repealed, amended or modified accordingly.

21 Sec. 10. *Effectivity Clause*. – This Act shall take effect fifteen (15) days after its  
22 publication in the *Official Gazette* or in two (2) newspapers of general circulation.

Approved.