

**TWENTIETH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
First Regular Session**

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25 JUL 15 P1:41

SENATE

RECEIVED BY: 

S.B. No. 627

Introduced by SENATOR WIN GATCHALIAN

**AN ACT
PROHIBITING THE USE OF MOBILE DEVICES AND OTHER ELECTRONIC
GADGETS DURING CLASS HOURS FROM KINDERGARTEN TO SENIOR
HIGH SCHOOL IN ALL PUBLIC AND PRIVATE EDUCATION INSTITUTIONS**

EXPLANATORY NOTE

The 1987 Constitution provides that the State shall “[e]stablish, maintain, and support a complete, adequate, and integrated system of education relevant to the needs of the people and society”.¹

The use of mobile devices and other electronic gadgets is gradually becoming a compelling learning tool used to enhance teaching and learning in education. Its usage ensures flexible course delivery and makes it possible for learners to access online learning platforms and course resources and interact digitally.² However, technological advancements such as mobile phones and other electronic devices can cause distractions that could

¹ Section 2 (1), Article XIV.

² Darko-Adjei, N. The Use and Effect of Smartphones in Students' Learning Activities: Evidence from the University of Ghana, Legon. Department of Information Studies, University of Nebraska – Lincoln, 2019.

adversely impact learning, especially among learners at the basic education level.

Empirical studies from other countries reveal that excessive use of mobile devices negatively affects learner performance in two ways³. First, it affects performance directly as greater use of a phone while studying is correlated with greater negative impact on grades or scores. Second, it affects performance indirectly because the learners' skills and cognitive abilities needed for academic success are also negatively affected by excessive phone use.

An analysis⁴ of the Philippine data from the Programme for International Student Assessment (PISA) 2022 showed that 8 in every 10 Filipino learners aged 15 reported that they got distracted in class by using their smartphones, and 8 in every 10 also reported that they got distracted in class by other learners who are using smartphones. Further analysis revealed that distraction due to smartphone use during class is correlated with a decrease in performance of about 9.3 points in mathematics, 12.2 points in science, and 15.04 points in reading.

Aside from decrease in learners' academic performance, access to such devices seems likely to mediate involvement in cyberbullying.⁵ Hence, the use of mobile devices and other electronic gadgets must be restricted, especially during class hours in order to balance the use of technology and promote learning among learners.

³ Sunday, O.J., et. al., The Effects of Smartphone Addiction on Learning: A Meta-Analysis. 2021, <https://doi.org/10.1016/j.chbr.2021.100114>

⁴ Senate Committee on Basic Education analysis of PISA 2022 data.

⁵ Englander, E.K., Childhood Access to Technology and Cyberbullying. *Journal of Pediatrics and Pediatric Medicine*, 2019.

Given these negative effects, the 2023 Global Education Monitoring Report published by the United Nations Educational, Scientific and Cultural Organization recommended stricter regulation against use of mobile phones in class^{6,7}. The Report found that only 13% of countries in the world have laws partially or fully banning mobile phone use in schools, while 14% of countries have policies, strategies, or guidelines for the same purpose.

In support of the need to balance the use of technology and enhance learners' participation and academic performance, the following measures are hereby proposed:

1. Prohibiting the use of mobile devices and electronic gadgets by learners from Kindergarten to Senior High School within the school premises during class hours, and by teachers and faculty members during their designated teaching hours in classrooms, save for the following exceptions: *learning-related exceptions*, *health and well-being-related exceptions*, and *exceptions related to managing risks*;
2. Mandating the Department of Education to formulate and promulgate guidelines on the prohibition of the use of mobile devices and electronic gadgets while ensuring that private education institutions provide the same guidelines; and
3. Subjecting to sanctions all covered public and private education institutions who fail to comply with the provisions of this Act. Learners shall likewise be subject to appropriate sanctions provided in the school policies.

⁶ 2023 Global Education Monitoring by UNESCO (2023), <https://unesdoc.unesco.org/ark:/48223/pf0000385723/PDF/385723eng.pdf.multi>

⁷ World Economic Forum (2023), "UNESCO calls for a ban on phones in schools. Here's why", <https://www.weforum.org/agenda/2023/08/online-learning-digital-divide-mobile-phone-school-education/>

With the end goal of providing transformative education through the strict use of mobile devices and electronic gadgets in schools, the immediate passage of this bill is earnestly sought.



WIN GATCHALIAN

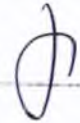
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*Be it enacted by the Senate and House of Representatives of the Philippines in
Congress assembled:*

1 Section 1. *Short Title.* – This Act shall be known as the “Electronic
2 Gadget-Free Schools Act.”

3
4 Sec. 2. *Declaration of Policy.* – It is the policy of the State to promote
5 and protect the physical, moral, spiritual, intellectual, and social well-being
6 of our youth and learners. Towards this end, policies must be crafted to
7 safeguard their well-being and enhance their potentials and skills through
8 eliminating distractions caused by mobile devices and other electronic
9 gadgets and protecting them from the unwarranted effects of excessive online
10 and gaming use.

11
12 Sec. 3. *Definition of Terms.* – For purposes of this Act, the following
13 terms shall mean:

14 a. Mobile Device refers to any form of portable electronic devices

1 such as but not limited to smartphones, cellular phones, tablet computers,
2 pocket personal computer (PC), palmtops, smartwatches, virtual reality (VR)
3 headsets, smart glasses, wearable cameras, and other similar devices which
4 can store, send, receive, and move data through the internet or wireless
5 connection.

6 b. Electronic Gadget refers to any portable electronic device that
7 can enable its user to make calls, capture photos, stream video, and play
8 games such as but not limited to laptops, video games consoles, virtual reality
9 headsets, smart glasses, wearable cameras, and other similar contraptions.

10
11 Sec. 4. *Coverage.* – This Act shall apply to all public and private
12 education institutions offering any level of the basic education curriculum.

13
14 Sec. 5. *Prohibition on the Use of Mobile Devices and Other Electronic*
15 *Gadgets by Learners.* – The Department of Education (DepEd) shall
16 promulgate guidelines on the prohibition of the use of mobile devices and
17 other electronic gadgets by learners from Kindergarten to Senior High School
18 within the school premises during class hours except as provided under
19 Section 7 of this Act.

20 The DepEd shall likewise ensure that private education institutions
21 formulate guidelines in accordance with this Act and include the same in
22 their respective handbooks and school policies.

23 School premises shall include classrooms, laboratories, bathrooms,
24 gymnasiums, canteens or cafeterias, designated school club rooms,
25 swimming pools, teachers' lounges, and school offices.

26
27 Sec. 6. *Prohibition on the Use of Mobile Devices and Other Electronic*
28 *Gadgets by Teachers and Faculty Members.* – Teachers and faculty members
29 are likewise prohibited from using mobile devices and other electronic gadgets
30 during their designated teaching hours in classrooms, except as provided
31 under Section 7 of this Act.

1 Sec. 7. *Exceptions.* – Mobile devices and other electronic gadgets shall
2 not be used within the school premises during class hours save for the
3 following exceptions:

4 a. *Learning-related exceptions*, such as classroom presentations or
5 class-based learning activities, requiring the use of such technologies, or for
6 learners for whom a reasonable adjustment to a learning program is needed
7 due to learning disability or difficulty;

8 b. *Health and well-being-related exceptions*, such as learners with
9 specific health conditions that may require mobile devices and other
10 electronic gadgets, as certified by a medical doctor and duly noted by the
11 School Head; and

12 c. *Exceptions related to managing risks*, such as in case of
13 emergency, in response to a perceived threat or danger, or in case of field
14 trips and other school-related activities outside the school premises.

15
16 Sec. 8. *Sanctions for Non-compliance.* – All covered public and private
17 education institutions who fail to comply with the provisions of this Act shall
18 be subject to sanctions that may be imposed by the DepEd. Learners shall
19 likewise be subject to appropriate sanctions provided in the school policies
20 set forth by the DepEd, for violation of Section 5 hereof.

21
22 Sec. 9. *Implementing Rules and Regulations.* – The DepEd, in
23 consultation with the Department of Health, representatives from the Parent-
24 Teacher Associations, relevant government agencies, and other private
25 stakeholders shall promulgate the rules and regulations within ninety (90)
26 days after the effectivity of this Act.

27
28 Sec. 10. *Separability Clause.* – If any provision or part of this Act is
29 declared invalid or unconstitutional, the remaining provisions or parts not
30 affected shall remain in full force and effect.

31
32 Sec. 11. *Repealing Clause.* – All other laws, executive orders,

1 presidential decrees, administrative orders, rules and regulations, issuances,
2 or parts thereof inconsistent with or contrary to the provisions of this Act are
3 hereby repealed or amended accordingly.

4
5 Sec. 12. *Effectivity.* – Notwithstanding the non-issuance of the IRR, this
6 Act shall take effect fifteen (15) days after its publication in the Official
7 Gazette or in a newspaper of general circulation.

Approved,