



October 15, 2024

Hon. Dennis King  
Hon. Hal Perry  
MLA Karla Bernard

Dear Premier and Interim Leaders of the Official Opposition and Third Party,

Re: Feedback on the Public School Branch draft Operational Procedure '*Personally-Owned Mobile Devices in Schools*'.

On behalf of members of the Child and Youth Advisory Committee of the Office of the Child and Youth Advocate, I am pleased to share their attached feedback submission on the PSB draft operational procedure '*Personally-Owned Mobile Devices in Schools*'. Members have additionally provided commentary on their experiences of the Ministerial Directive (MD 2024-06) "*Responsible Use of Communication and Information Technology*".

As previously noted by our office, the UN Committee on the Rights of the Child, when it delivered its Concluding Observations on June 23, 2022, recommended that Canada and the Provinces and Territories should ensure the voices of children are heard in all official decision-making processes that relate to children. This is further supported by the UN Committee on the Rights of the Child General Comment No.20, which states:

*"States should ensure that adolescents are involved in the development, implementation and monitoring of all relevant legislation, policies, services and programmes affecting their lives, at school and at the community, local, national and international levels."*<sup>1</sup>

When children and youth participate in decision-making processes, they provide a unique perspective on their experiences of the delivery of services.

I wish to express appreciation to the youth who reviewed the Draft Operational Procedure and the

---

<sup>1</sup> Committee on the Rights of the Child (2016) *General Comment No. 20 (2016) on the implementation of the rights of the child during adolescence*, <https://www.ohchr.org/en/documents/general-comments-and-recommendations/general-comment-no-20-2016-implementation-rights>

Ministerial Directive and provided valuable feedback on their lived experiences in school. I trust you will find their response helpful when discussing the operation of this new directive.

Respectfully,



Marvin M. Bernstein B.A., J.D., LL.M. (ADR)  
Child and Youth Advocate

cc: Hon. Rob Lantz, Minister of Education and Early Years  
Erin McGrath-Gaudet, Deputy Minister of Education and Early Years  
Brad Trivers, Chair, Standing Committee on Education and Economic Growth



## **Child and Youth Advisory Committee**

### **Review of the New Procedures on Personally-Owned Mobile Devices in Schools**

**October 2024**

#### **Introduction**

In July 2024, the Department of Education and Early Years released a new Ministerial Directive on the Responsible Use of Communication and Information Technology, giving guidance on student use of personal mobile devices such as cellphones in schools. The Public Schools Branch has developed draft procedures to help schools implement this new directive. The Child and Youth Advisory Committee worked together to discuss these procedures. As students we are affected by policies and procedures about cellphones in schools every day. We are, therefore, able to provide informed feedback on both the Ministerial Directive (No. MD 2024-06) *“Responsible Use of Communication and Information Technology”* and the PSB’s Draft Procedure *“Personally-Owned Mobile Devices in Schools”*.

#### **About the Child and Youth Advisory Committee**

The Child and Youth Advisory Committee is an inclusive group of children and youth who work in collaboration with the PEI Office of the Child and Youth Advocate to amplify youth perspectives and promote the rights of children and youth. Including representation from across PEI, and from diverse backgrounds, members share insights about the lived experiences of children and youth to inform the work of the Office of the Child and Youth Advocate. The Child and Youth Advisory Committee were keen to share their experiences of the implementation of the new Ministerial Directive and provide feedback on the PSB’s Draft Procedure.

## Feedback on the New Ministerial Directive

We think there have been some really positive changes this school year with respect to mobile devices in class.

“I used to hear people’s phones, videos and games, and it was distracting. I don’t hear that anymore”

“There is definitely less phone use in class”

“Kids have their phones but aren’t using them as much”

“People have their phones, but they aren’t using them during teaching”

We have noticed differences across schools. In some schools, there are “phone hotels” or pouches in every classroom where you are supposed to put your phone. Other schools are more flexible.

“Some kids don’t use the cell phone hotels but it’s ok because they are keeping their phones in their pocket”

We have also noticed that some teachers follow through with consequences when a student is using their phone inappropriately, but some teachers just give warnings without consequences. During our discussion, we found that some of our committee members wished there was more consistency across classes and schools; but most of us really like that teachers have flexibility in how they implement the policy.

“Teachers need to give us a bit of trust. Don’t make everyone suffer for the actions of some. Don’t make everyone use the pouches”

“It’s about building trust between the teacher and the kids. I want to live up to the trust the teachers put in me. Teachers know their class and know what they need to do to ensure the rules are followed”

While we have noticed a lot of positive changes, we have noticed some negative impacts of the changed rules too. Where some students used to be on their phones, now they are messing around in class in other ways, such as throwing pencils or papers, especially when the teacher isn’t looking or has stepped out of the room.

“Solving one problem has created another problem”

### Feedback on the PSB's Operational Procedure on Personally-Owned Mobile Devices

We like that the Procedure is written in a way that gives teachers flexibility, for example, that they “may” (and not “must”) provide a designated area in the classroom for students to store their phones (section 4.6). We like that, if a phone is confiscated, students (and not just parents) can pick up their phone at the office at the end of the day (section 7.1c).

“It is really good that a student can pick up the phone at the end of the day, not just the parent. Some parents or guardians can't get to school to pick it up and I've seen this before when the school will only give it to the parent. That isn't fair for all kids. This rule is better”

We do think that there should be separate category listed in Section 4.2 to give an exemption to students who need to use their phones for translation. Translation isn't a special educational need.



“This is not youth-friendly. Will there be something like this for kids, in easier language, maybe with pictures?”

The draft procedure is written for adults. We are not given any youth-friendly written rules about using personal mobile devices, everything is word-of-mouth from our teachers. We looked at examples of how other places have shared the rules about using technology with students in a way that kids understand, for example, the Vancouver School Board does this. We think it would be really helpful for students on PEI to have something like this.



Grade K-3 Acceptable (Responsible) Use of Technology Policy



1. I will ask an adult to use the computer/tablet.
2. I will use apps and webpages that the teacher/school allows me to use.
3. I will ask an adult for help if I'm not sure what to do or if I think I've made a mistake.
4. I will tell an adult if I see something upsetting or inappropriate on the screen.
5. I will be kind when I post about others or myself.
6. I will ask permission before posting appropriate photos.
7. I will find out and follow the online-sharing rules.
8. If I don't follow the rules, I might lose the privilege of using the computer/tablet.

We have read and understand the rules for using technology.

.....  
School Name

.....  
Parent/Guardian name (print) and signature

.....  
Student name (print) and signature

.....  
Date signed (mm/dd/yyyy)



Grade 4-12 Students

Feb 1, 2023

Grade 4 to 12 Acceptable (Responsible) Use of Technology

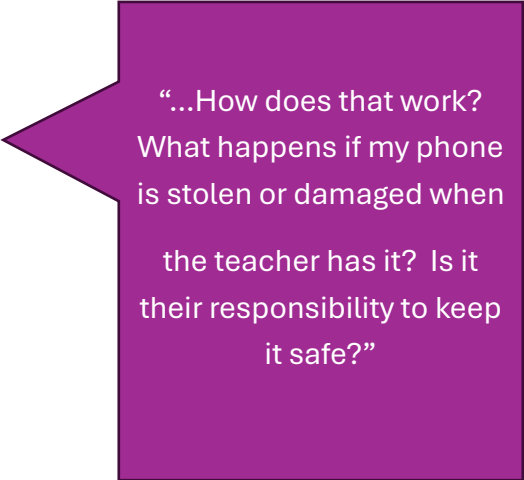


- I will keep my username and password to myself.
- I will be respectful of myself and others when using technology.
- I will not view, download, or upload anything that is illegal, inappropriate, or that may cause harm or distress to others.
- I will not take photographs or video of other students without their permission, nor will I post pictures of others without their permission.
- I will not record online classroom sessions (photos and videos) without consent of my teacher.
- I will ensure that I will be in a private setting when engaging in online sessions.

- I understand that technology systems and devices are primarily intended for educational purposes.
- I will respect others' work and property and will not access, copy, remove or otherwise alter any other person's files or information without their knowledge and permission.
- I understand that if I use my personal devices at school, I will follow the rules set out by this Acceptable (Responsible) Use of Technology policy and my teacher's instructions.
- I will immediately report any damage of devices or software, cyberbullying, inappropriate content, and other concerns to my teacher.
- I understand that I am responsible for my actions when using technology both inside and outside of school.
- I understand that the school will take appropriate action if I don't follow the rules.
- I understand and will follow the school's code of conduct rules.

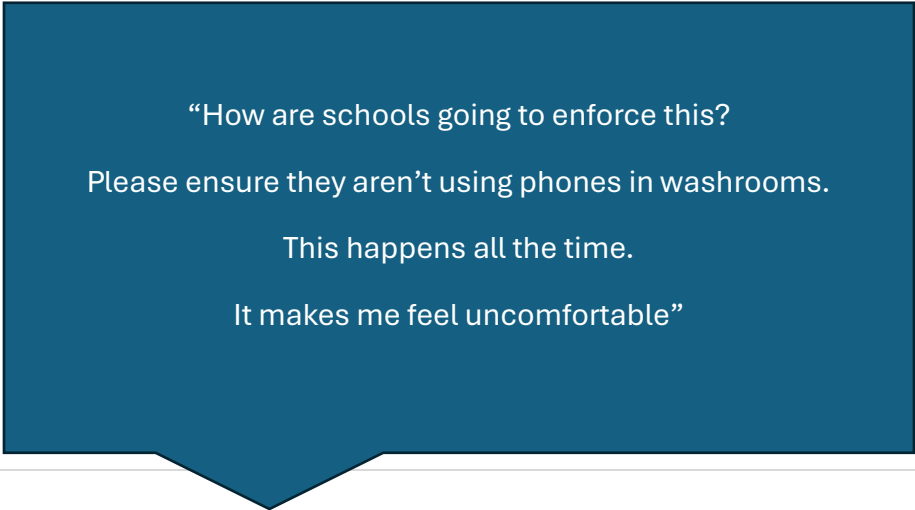
We do have some questions and concerns about the draft Procedure.

First, Section 8.1 says that students are responsible for the security, care and maintenance of any personal mobile device that is used in school. But, Section 7.1b says that a teacher will store my device if it is confiscated.



“...How does that work?  
What happens if my phone  
is stolen or damaged when  
the teacher has it? Is it  
their responsibility to keep  
it safe?”

Section 8.3 states that “students must not use a personal mobile device in areas where there is an increased expectation of privacy, such as change rooms and washrooms”. We think this is a very important point, but we are concerned about phones continuing to be used during times and in places where teachers aren’t providing supervision.



“How are schools going to enforce this?  
Please ensure they aren’t using phones in washrooms.  
This happens all the time.  
It makes me feel uncomfortable”





## Conclusion

The Child and Youth Advisory Committee would like to make the following recommendations to the Public Schools Branch with respect to the Draft Operational Procedure “*Personally-Owned Mobile Devices*”:

1. “Translation” should be included as a separate category for allowing access to PMDs in classrooms, to reflect the unique learning needs of EAL/FAL students (section 4.2);
2. In consultation with students, develop child-and-youth friendly information, highlighting expectations and rules for PMD use in schools, and consequences for breaking these rules;
3. In consultation with students, develop protocols for the documentation and safe storage of surrendered devices to provide clarification of sections 7.1b and 8.1 of the Procedure;
4. In consultation with students, develop more concrete ways to ensure the protection of privacy of students in unsupervised and vulnerable spaces such as washrooms and change rooms.