

Sixty-ninth  
Legislative Assembly  
of North Dakota

**SENATE BILL NO. 2354**

Introduced by

Senators Axtman, Cleary, Sickler, Thomas

Representatives Bosch, O'Brien

1 A BILL for an Act to create and enact a new section to chapter 15.1-07 of the North Dakota  
2 Century Code, relating to school district wireless communication device policies.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1.** A new section to chapter 15.1-07 of the North Dakota Century Code is created  
5 and enacted as follows:

6 **Wireless communication device policy.**

- 7 1. As used in this section, "wireless communication device" means a portable wireless  
8 device with the capability to provide voice, messaging, or other data communication  
9 between two or more parties, including a cell phone, tablet computer, laptop computer,  
10 or gaming device.
- 11 2. Before January 1, 2027, a school district in coordination with the board of the school  
12 district shall adopt and implement a wireless communication device policy that:
- 13 a. Except as provided in subdivisions b and c and subsection 3, minimizes or  
14 prohibits a student from using a wireless communication device during school  
15 hours;
- 16 b. Authorizes a teacher to allow a student to use a wireless communication device  
17 for educational purposes during instructional time;
- 18 c. Permits a student to use a wireless communication device to manage the  
19 student's health care, as determined by a licensed physician;
- 20 d. Is consistent across grade levels; and
- 21 e. Promotes evidence-based smartphone practices to support student learning and  
22 well-being.
- 23 3. The policy under subsection 2 may not prohibit a student from using a wireless  
24 communication device during school hours if the use of the wireless communication

- 1           device is included in the student's individualized education program or plan developed  
2           under section 504 of the federal Rehabilitation Act of 1973 [29 U.S.C. 794].  
3       4.   A school district shall:  
4           a.   Solicit input from stakeholders to develop the policy under subsection 2 to ensure  
5           the policy is responsive to the unique needs and desires of students, parents,  
6           and educators in the community.  
7           b.   Publish on its website the wireless communication device policy.  
8           c.   Annually review and update policies based on emerging research and data  
9           regarding wireless communication device use in schools.