

FIRST ENGROSSMENT

ENGROSSED 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 personal electronic device policies; and to provide an
3 appropriation.

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

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

7 **Personal electronic device policy.**

8 1. As used in this section, "personal electronic device" means a portable wireless device
9 with the capability to provide voice, messaging, or other data communication between
10 two or more parties, including a cell phone, tablet computer, laptop computer, or
11 gaming device.

12 2. Before August 1, 2026, a school district in coordination with the board of the school
13 district shall adopt and implement a personal electronic device policy that:

14 a. Except as provided in subdivisions b and c and subsection 3, minimizes or
15 prohibits a student from using a personal electronic device during school hours;

16 b. Authorizes a teacher to allow a student to use a personal electronic device for
17 educational purposes during instructional time;

18 c. Permits a student to use a personal electronic device to manage the student's
19 health care, as documented by a licensed treating provider or in accordance with
20 an individual health plan;

21 d. Is consistent across grade levels; and

- 1 e. Promotes evidence-based smartphone practices to support student learning and
2 well-being.
- 3 3. The policy under subsection 2 may not prohibit a student from using a personal
4 electronic device during school hours if the use of the personal electronic device is
5 included in the student's individualized education program in accordance with the
6 Individuals with Disabilities Education Act [29 U.S.C. 1400], a plan developed under
7 section 504 of the federal Rehabilitation Act of 1973 [29 U.S.C. 794], or any other
8 applicable law.
- 9 4. A school district shall:
- 10 a. Solicit input from stakeholders to develop the policy under subsection 2 to ensure
11 the policy is responsive to the unique needs and desires of students, parents,
12 and educators in the community.
- 13 b. Ensure the policy carefully considers the retention of possession and security
14 against loss or theft of the personal electronic devices.
- 15 c. Publish on its website the personal electronic device policy.
- 16 d. Annually review and update policies based on emerging research and data
17 regarding personal electronic device use in schools.
- 18 5. The superintendent of public instruction shall identify and provide information on
19 approved secure storage containers to the requesting school districts.

20 **SECTION 2. APPROPRIATION - DEPARTMENT OF PUBLIC INSTRUCTION- ONE-TIME**
21 **FUNDING.** There is appropriated out of any moneys in the general fund in the state treasury,
22 not otherwise appropriated, the sum of \$300,000, or so much of the sum as may be necessary,
23 to the superintendent of public instruction for the purpose of providing funds to a school district
24 upon the request of the board of a school district to acquire approved secure containers to store
25 each student's personal electronic device, in accordance with the established school district
26 plan, for the biennium beginning July 1, 2025, and ending June 30, 2027. The funding provided
27 in this section is considered a one time funding item.