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Title.

Prepared by the Legislative Council  
staff for Senate Appropriations -  
Education and Environment Division  
Committee

February 14, 2025

Sixty-ninth  
Legislative Assembly  
of North Dakota

**PROPOSED AMENDMENTS TO  
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;

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

22           ~~5. The superintendent of public instruction shall identify and provide information on~~  
23           ~~approved secure storage containers to the requesting school districts.~~

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