

2-10-20
Senator
Wobbema

25.1182.02000

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.~~ ^{Personal electronic device}

7 1. As used in this section, "~~wireless communication~~ ^{personal electronic} device" means a ^{student owned} 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, ²⁰²⁶ ~~2027~~, a school district in coordination with the board of the school
12 district shall adopt and implement a ~~wireless communication~~ ^{personal electronic} 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~~ ^{personal electronic} device during school
15 hours;

16 b. Authorizes a teacher to allow a student to use a ~~wireless communication~~ ^{personal electronic} device
17 for educational purposes during instructional time;

18 c. Permits a student to use a ~~wireless communication~~ ^{personal electronic} 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;} ~~prohibit~~ a student from using a ~~wireless~~ ^{personal}
24 ~~communication~~ ^{electronic} device during school hours if the use of the ~~wireless communication~~ ^{personal electronic}

Page No. 1 25.1182.02000
b. a student from using a personal electronic device for medical or behavioral requirement as prescribed by competent authority.

- 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 ~~c~~ ~~b~~ Publish on its website the ^{personal electronic} ~~wireless communication~~ device policy.
- 8 ~~d~~ ~~c~~ Annually review and update policies based on emerging research and data
9 regarding ^{personal electronic} ~~wireless communication~~ device use in schools.

- b. The policy carefully considers retention of possession and security against loss or theft of the personal electronic devices.
5. The Superintendent of Public Instruction shall:
- a. Identify and provide information on approved secure storage containers to the requesting school districts.
- b. Upon request by the school districts, procure, and provide for installation, training as required, and support for approved secure storage containers.

Insert Section 2 Appropriation - Superintendent of Public Instruction

1. There is

2. Upon request by the board of the school district the superintendent of public instruction shall provide a school with the funds to acquire approved secure containers to store each student's personal electronic device in accordance with the established school district plan.