

FIRST ENGROSSMENT

ENGROSSED HOUSE BILL NO. 1160

Introduced by

Representatives Jonas, Longmuir, Nelson, Sanford

1 A BILL for an Act to create and enact a new section to chapter 15.1-06 of the North Dakota
2 Century Code, relating to policies for student cellular telephone use.

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

4 **SECTION 1.** A new section to chapter 15.1-06 of the North Dakota Century Code is created
5 and enacted as follows:

6 **Cellular telephone usage policy.**

7 **1. As used in this section:**

8 **a. "Cellular telephone" means a wireless communication device, which is capable of**
9 **transmitting voice, text, or data between parties. The term does not include a**
10 **tablet, laptop computer, or personal computer approved by the school district for**
11 **educational use.**

12 **b. "Instructional time" means the time when a student is attending class or an**
13 **educational activity.**

14 **c. "Noninstructional time" means the time when a student is not attending class or**
15 **an educational activity, including lunch, recess, time between classes, the time**
16 **before a student's first class and after a student's last class, and open class**
17 **periods.**

18 **2. A board of a school district shall adopt a policy governing the use of cellular**
19 **telephones during instructional and noninstructional time.**

20 **3. A policy:**

21 **a. May include time and location restrictions for cellular telephone usage, limitations**
22 **regarding disruptions, proper instructional use, acceptable and unacceptable use**

1 of cellular telephones for students and staff, and disciplinary actions for student
2 noncompliance.

3 b. Must include exceptions for:

4 (1) Medical accommodations. An individual may use a cellular telephone or
5 other technological device, if required for accommodations based on a
6 disability or management of a medical condition, including continuous
7 glucose monitoring or seizure alerts. The individual shall provide to the
8 school administrator relevant documentation from a licensed health care
9 provider.

10 (2) Educational accommodations. A student with an individual education
11 program, individual learning plan, a plan under section 504 of the
12 Rehabilitation Act of 1973 [29 U.S.C. 794], or other plan under the law must
13 be accommodated according to the plan.

14 (3) Emergency situations affecting the health, safety, or well-being of a student
15 or staff member.