

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.