

**SECOND ENGROSSMENT**

**REENGROSSED 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.

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 **Personal electronic device policy.**

- 7 1. As used in this section, "personal electronic device" means a portable wireless device  
8 with the capability to provide voice, messaging, or other data communication between  
9 two or more parties, including a cell phone, tablet computer, laptop computer, or  
10 gaming device.
- 11 2. Before August 1, 2026, a school district in coordination with the board of the school  
12 district shall adopt and implement a 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 personal electronic device during school hours;
- 15 b. Authorizes a teacher to allow a student to use a personal electronic device for  
16 educational purposes during instructional time;
- 17 c. Permits a student to use a personal electronic device to manage the student's  
18 health care, as documented by a licensed treating provider or in accordance with  
19 an individual health plan;
- 20 d. Is consistent across grade levels; and
- 21 e. Promotes evidence-based smartphone practices to support student learning and  
22 well-being.

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