

**2025 SENATE EDUCATION**

**SB 2354**

# 2025 SENATE STANDING COMMITTEE MINUTES

## Education Committee Room JW216, State Capitol

SB 2354  
2/10/2025

Relating to school district wireless communication device policies.
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Members Present: Chairman Beard; Vice-Chairman Lemm; Senators: Axtman, Boschee, Gerhardt, and Wobbema.

9:00 a.m. Chairman Beard called the meeting to order.

### Discussion Topics:

- Impact of social media
- Local policy and control
- Data driven
- Medical emergencies
- Appropriation for grant

9:00 a.m. Senator Axtman, District 7, introduced the bill and submitted testimony #36608.

9:11 a.m. Carter Hass, ND Association of Student Councils Valley City, testified in favor and submitted testimony #36427.

9:20 a.m. KrisAnn Norby-Jahner, In House Legal Counsel ND School Boards Association, testified neutral and submitted testimony #36438.

9:23 a.m. Michael Heilman, ND Small Organized Schools, testified in favor and submitted testimony #36544.

9:59 a.m. Senator Wobbema moved Amendment LC# 25.1182.02001.

9:59 a.m. Senator Boschee seconded the motion.

Senators	Vote
Senator Todd Beard	Y
Senator Randy D. Lemm	Y
Senator Michelle Axtman	Y
Senator Josh Boschee	Y
Senator Justin Gerhardt	Y
Senator Mike Wobbema	Y

Motion Passed 6-0-0

### Additional written testimony:

Dr. Aimee Copas, ND Council of Educational Leaders, submitted testimony in favor #36372.

Chris Larson, Superintendent Milnor Public School, submitted testimony in favor #36257.

Senator Wobbema, District 24, submitted testimony in favor #36619, #36707, #36708, 36745.

10:01 a.m. Chairman Beard closed the hearing.

*Susan Helbling, Committee Clerk*

February 10, 2025

Sixty-ninth  
Legislative Assembly  
of North Dakota

**PROPOSED AMENDMENTS TO**

**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~~personal electronic device  
3 policies; and to provide an 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 ~~Wireless communication~~Personal electronic device policy.

- 8 1. As used in this section, "~~wireless communication~~personal electronic device" means a  
9 portable wireless device with the capability to provide voice, messaging, or other data  
10 communication between two or more parties, including a cell phone, tablet computer,  
11 laptop computer, or gaming device.
- 12 2. Before ~~January 1, 2027~~August 1, 2026, a school district in coordination with the board  
13 of the school district shall adopt and implement a ~~wireless communication~~personal  
14 electronic device policy that:
- 15 a. Except as provided in subdivisions b and c and subsection 3, minimizes or  
16 prohibits a student from using a ~~wireless communication~~personal electronic  
17 device during school hours;
- 18 b. Authorizes a teacher to allow a student to use a ~~wireless communication~~personal  
19 electronic device for educational purposes during instructional time;



- 1           c. Permits a student to use a ~~wireless communication~~personal electronic device to  
2           manage the student's health care, as ~~determined~~documented by a licensed  
3           physiciantreating provider or in accordance with 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 ~~wireless~~  
8           ~~communication~~personal electronic device during school hours if the use of the ~~wireless~~  
9           ~~communication~~personal electronic device is included in the student's individualized  
10          education program orin accordance with the Individuals with Disabilities Education Act  
11          [29 U.S.C. 1400], a plan developed under section 504 of the federal Rehabilitation Act  
12          of 1973 [29 U.S.C. 794], or any other 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 ~~wireless communication~~personal electronic device  
20           policy.  
21           e.d. Annually review and update policies based on emerging research and data  
22           regarding ~~wireless communication~~personal electronic device use in schools.  
23       5. The superintendent of public instruction shall identify and provide information on  
24           approved secure storage containers to the requesting school districts.

25       **SECTION 2. APPROPRIATION - DEPARTMENT OF PUBLIC INSTRUCTION- ONE-TIME**  
26       **FUNDING.** There is appropriated out of any moneys in the general fund in the state treasury,  
27       not otherwise appropriated, the sum of \$300,000, or so much of the sum as may be necessary,  
28       to the superintendent of public instruction for the purpose of providing funds to a school district  
29       upon the request of the board of a school district to acquire approved secure containers to store  
30       each student's personal electronic device, in accordance with the established school district

- 1 plan, for the biennium beginning July 1, 2025, and ending June 30, 2027. The funding provided
- 2 in this section is considered a one time funding item.

## Milnor Public School District No. 2

530 Fifth Street | P.O. Box 369

Milnor, North Dakota 58060-0369

Phone: 701-427-5237 | Fax: 701-427-5304

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Chris Larson, Superintendent and Activities Director

Ryan Weber, High School Principal

Theresa Wittich, Elementary Principal

### Testimony in Support of SB 2354

Dr. Chris Larson  
Superintendent, Milnor Public School  
Senate Education Committee

February 10, 2025

Chairman Beard, members of the committee, my name is Chris Larson, and I serve as the Superintendent of Milnor Public School. I am here today in strong support of Senate Bill 2354, which ensures school districts develop a clear, locally driven policy regarding student wireless communication device use.

### A Shift in Perspective

Not many years ago, I was an advocate for allowing cell phones in schools. Like many educators at the time, I believed that cell phones were an inevitable part of students' lives and that our role was to teach them how to use these devices responsibly rather than restrict them. The philosophy was that since cell phones weren't going away, we needed to embrace the technology and integrate it into the educational environment.

However, in recent years, we have seen firsthand the challenges that unrestricted cell phone access presents in our schools. We have pivoted from an open-access mindset to developing policies and practices that limit cell phone use during school hours. We've done this not because we oppose technology, but because we've seen the research—and the reality—in our classrooms:

- **Distraction from Learning:** Students struggle to focus when devices are within reach, even if they are not actively using them.
- **Mental Health Concerns:** The rise of social media and constant digital engagement has contributed to increasing levels of anxiety, depression, and cyberbullying.
- **Classroom Management Issues:** Teachers often spend more time enforcing individual phone rules than focusing on instruction. A **consistent policy** is necessary for effective classroom management.

### Applauding Local Control

One of the greatest strengths of SB 2354 is that it maintains local control, ensuring that school boards—not the state—develop policies that reflect the needs and values of their communities. Every school district in North Dakota is unique, and local leaders are in the best position to determine how to balance educational priorities, student well-being, and the role of technology in the classroom.

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Chris Larson, Superintendent and Activities Director

Ryan Weber, High School Principal

Theresa Wittich, Elementary Principal

This bill provides necessary guidance while leaving the details in the hands of local school boards to develop policies that work best for their students, parents, and educators.

## Key Strengths of SB 2354

✓ Local Decision-Making: Each district will craft its own policy, ensuring community needs and perspectives shape the guidelines.

✓ Educational Use Allowed: Teachers may permit device use for specific learning activities.

✓ Health & Accessibility Protections: Students who rely on devices for medical or special education needs are exempt from restrictions.

✓ Stakeholder Engagement: The bill requires districts to solicit input from parents, teachers, and students—ensuring that policies reflect local values.

✓ Annual Review & Updates: Schools will regularly evaluate their policies to align with new research and evolving best practices.

## Conclusion

At Milnor Public School, we have already begun limiting student cell phone use based on our evolving understanding of their impact on learning and well-being. SB 2354 ensures that all North Dakota schools take a proactive and research-based approach to managing device use while maintaining local control and flexibility.

I strongly encourage the committee to support SB 2354 and uphold the principle that local school boards are best positioned to establish policies that serve their students.

Respectfully submitted,

Dr. Chris Larson

Superintendent

Milnor Public School

[Chris.larson@k12.nd.us](mailto:Chris.larson@k12.nd.us)



Testimony in support SB 2354

Chairman Beard and members of the Senate Education committee, thank you for the opportunity to testify today. I am here in support of Senate Bill 2354, which aims to establish a **reasonable and locally controlled** approach to wireless communication device use in schools.

As we navigate the evolving role of technology in education, it is essential to strike a **balance**—ensuring that students remain engaged in learning while also allowing for the appropriate and constructive use of wireless communication devices. This bill provides a framework that:

- **Minimizes distractions during school hours** while maintaining flexibility for **educational purposes** and **student health needs**.
- **Respects local control**, allowing school districts to develop policies that best serve their students and communities.
- **Encourages stakeholder engagement**, ensuring that parents, educators, and students have a voice in shaping policies that reflect their unique needs.
- **Requires periodic review**, allowing policies to adapt to new research and best practices over time.

This bill does not impose a **one-size-fits-all** mandate but instead **empowers local districts** to establish policies that align with the goals of **student learning and well-being**.

I appreciate the committee's attention to this important issue and encourage your support of SB 2354. Thank you for your time, and I am happy to answer any questions.

## Testimony in Support of SB 2354

Carter Hass  
February 13, 2025

Dear Honorable Members of the Senate Education Committee,

Mr Chairman, Mr Vice Chairman and Honorable members of the Committee today I urge that you push a “DO PASS” recommendation for this legislation.

I go to Valley City High School, and we recently implemented a policy for phones. It consists of basic regulations, like not having your phone in the hallways or classrooms, and it also consists of typical leniency, such as allowing a phone in your study halls, open campus, or at lunch. The policy also allows students to use their phones for medical emergencies. To put it simply, we have an excellent policy. Many students initially were indifferent towards it; I was one of them, but we adapted, and its benefits truly shined. I want to point out that when it comes to phone regulation. There are immense benefits. On June 17, 2024, Yale Medicine said, “The excessive use of social media can harm teens by disrupting important healthy behaviors. Some researchers think that exposure to social media can overstimulate the brain's reward center and, when the stimulation becomes excessive, it can trigger pathways comparable to addiction.” School is no place for addiction, and by passing this bill, you can limit student access to addictive things while promoting education just like they did in my school. This legislation not only provides fantastic benefits for students, but it also promotes the rights of the parents.

Our school followed precedent as Many schools have been adapting policies like these, and what I love about this bill is its simplistic language and regulation. You tell the school districts what their policy should include while allowing them to choose how much they regulate. All school districts must have some policy, but it’s left up to the parents, the students, and the boards to decide how stiff the regulations are. The balance of power with this legislation is fair and reasonable. Easily a top reason to pass. But finally,

I want to address an argument that might be commonplace when debating technological regulation. The argument is that 21st-century technology has become an essential part of communication for everyone. Now, while I and many people can agree that technology is imperative to our students' success and communication, it, like anything else, can have adverse side effects. Its negative side effects have become so commonplace and destructive that this legislative body has taken notice. The Harvard Graduate School of Education, on August 10, 2022, reported that quote, “Allowing phones in the classroom **negatively** impacts test scores and long-term learning retention as well as performance and cognitive capacity.” There's your solid evidence. Modern problems require modern solutions. This bill also allows for communication to exist and doesn’t deny the reality of communication through cellular devices. In subsection two, subdivision C, and subsection three, essential communication is protected by mandating that a student may have their phone in case of a medical condition and leaves the term “instructional time” ambiguous, meaning that each district can decide whether or not they want phones in the classroom for “ after instructional time use” or kept in the lockers for “outside of classroom use.”

From a student's perspective, the societal benefits, preservation of rights, and elimination of negative impacts within this legislation are ideal. You have our support. For those reasons, I ask you today to give a DO PASS recommendation for this legislation. Thank you.

Carter Hass.





**NDSBA**  
NORTH DAKOTA SCHOOL  
BOARDS ASSOCIATION

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**SB 2354**

**Testimony of KrisAn Norby-Jahner  
Senate Education  
February 10, 2025**

Chair Beard and members of the Senate Education Committee, for the record my name is KrisAnn Norby-Jahner. I am in-house legal counsel for the North Dakota School Boards Association. The NDSBA represents all 168 North Dakota public school districts and their boards. The NDSBA currently supports and has assisted in the development of similar legislation as proposed in [HB 1160](#), but also offers support and proposed amendments to SB 2354.

The NDSBA is supportive of legislation that allows school districts to maintain local control in accordance with the individual needs of a specific student body and community. Local control allows school boards and administration to work directly with students, parents, and educators in a school district to develop policies that reflect the direction each district wants to take in addressing wireless communication devices. There are a number of positive aspects and capabilities of electronic devices in the educational environment that make it preferable for a school district to maintain flexibility, particularly in relation to an educator's preferred method of instructional use and a student's need for support in relation to medical needs, disability-related needs, individualized education programs, ELL needs, etc.

The proposed legislation in SB 2354 appropriately maintains local control and provides exceptions for instructional use, the management of a student's health care, and use in accordance with a student's Individualized Education Program (IEP) or Section 504 plan. Our additional proposed amendments to SB 2354 are outlined below with accompanying rationale:

1. **Lines 13-16 (page):** *Except as provided in subdivisions b and c and subsection 3, minimizes or prohibits a student from using a wireless communication device during ~~school hours~~ instructional time;*

**Rational for Revision:** As a practical matter, a public student's time in school buildings and educational activities is often classified as "instructional time" and "non-instructional time." The NDSBA is supportive of [HB 1160](#), which specifically defines and differentiates between the two. We would support a revision that provides a similar distinction.



2. **Lines 16-17 (page 1):** Authorizes the school board, administration or a teacher to allow a student ~~students~~ to use a wireless communication device for educational purposes during instructional time or to use a wireless communication device during non-instructional time;

**Rationale for Revisions:** Public school districts typically formulate and adopt policies and regulations at the school board and administrative levels that apply to all students. In order to ensure consistency in current practice for policy development and application (particularly after a school district receives stakeholder input as required in subsection 4 of the proposed SB 2354), schools need to be able to maintain control at all three levels – school board, administration, and teacher.

In addition, some school districts currently allow (and may want to continue to allow based on stakeholder input) for electronic device use during non-instructional time.

3. **Lines 18-17 (page 1):** Permits a student to use a wireless communication device to manage the student's health care, as ~~determined~~ documented by a licensed ~~physician~~ treating provider or in accordance with an Individual Health Plan;

**Rationale for Revision:** School districts are required to accommodate a student's documented disability in accordance with the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act, as documented by a treating provider (which may include a physician, physician's assistant, nurse practitioner, etc.). However, Individualized Health Plans (IHPs) which are more typically created to address a student's medical needs in the school environment are actually developed and "determined" by a team that also includes the student's parents and school personnel.

4. **Lines 23-24 (page 1); Lines 1-2 (page 2):** The policy under subsection 2 may not prohibit a student from using a wireless communication device during school hours if the use of the wireless communication device is included in the student's individualized education program in accordance with the Individuals with Disabilities Education Act [29 U.S.C. 1400], or plan developed under section 504 of the federal Rehabilitation Act of 1973 [29 U.S.C. 794], or in accordance with any other applicable law.

**Rational for Revision:** There are additional plans that may be developed under special education laws that may require accommodation (including behavioral intervention plans and individual learning plans). Also, because the legislature cannot anticipate every new law or regulation that may come into effect, this additional language provides flexibility for compliance without having to continually revise state legislation.

Thank you for your time in considering these proposed amendments, information, and rationale provided for each proposal.



# North Dakota Small Organized Schools

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## 1 Testimony in Support of SB 2354

## 2 Chairman Beard and Members of the Senate Education Committee,

3 I am writing in support of Senate Bill 2354, which seeks to establish a comprehensive wireless  
4 communication device policy in North Dakota schools. This bill is an important step in ensuring that  
5 technology is used in a manner that enhances student learning while minimizing distractions and  
6 promoting overall well-being.

7 The prevalence of wireless communication devices in schools has significantly increased over the past  
8 decade, leading to both benefits and challenges. While technology can serve as a valuable educational  
9 tool, excessive and unregulated use of smartphones and other devices during school hours has been  
10 linked to decreased academic performance, increased distractions, and negative impacts on students'  
11 mental health. SB 2354 provides a balanced and thoughtful approach to addressing these concerns by  
12 requiring school districts to implement policies that regulate device use in a way that prioritizes learning  
13 and student well-being.

## 14 Key aspects of SB 2354 that merit support include:

- 15 1. **Minimization or Prohibition of Device Use During School Hours** – The bill appropriately limits  
16 device use during instructional time while allowing for exceptions that support educational and  
17 health-related needs.
- 18 2. **Teacher Discretion for Educational Use** – Allowing teachers to permit device use for  
19 instructional purposes ensures that technology remains an asset in the classroom rather than a  
20 distraction.
- 21 3. **Health Care Considerations** – Recognizing that some students require access to their devices for  
22 medical reasons, such as managing diabetes or other conditions, is an essential component of  
23 the bill.
- 24 4. **Consistency Across Grade Levels** – Establishing uniform policies across all grade levels will  
25 provide clarity and equity for students, parents, and educators alike.
- 26 5. **Evidence-Based Smartphone Practices** – The bill promotes research-driven policies that reflect  
27 best practices in technology use for academic success and mental well-being.

### Board of Directors

#### Region 1

Mr. Tim Holte, Supt. Stanley  
Mr. Kris Kuehn, Supt. Ray

#### Region 2

Mr. Monte Mayer, Supt. Velva  
Mr. Steven Heim, Anamoose & Drake

#### Region 3

Dr. Frank Schill, Supt. Edmore  
Mr. David Wheeler, Supt. Manvel

#### Region 4

Mr. Brian Christopherson, Supt. New Salem  
Mr. Russ Ziegler, Supt. Elgin-New Leipzig

#### Region 5

Mr. Rick Diegel, Supt. Kidder Co.  
Mr. Brandt Dick, Supt. Burleigh County

#### Region 6

Mr. Mitch Carlson, Supt. LaMoure  
Dr. Steven Johnson, Supt. Ft. Ransom

**The mission of NDSOS is to provide leadership for the small/rural schools in North Dakota and to support legislation favorable to their philosophy while opposing legislation that is harmful.**

28 Additionally, SB 2354 appropriately requires school districts to solicit stakeholder input, ensuring that  
29 policies reflect the needs and concerns of students, parents, and educators. The requirement for annual  
30 policy reviews based on emerging research ensures that North Dakota schools remain adaptable to new  
31 findings and best practices regarding technology use in education.

32 I urge the committee to support SB 2354.

33 Mr. Michael Heilman – Executive Director  
34 North Dakota Small Organized Schools  
35 [mheilmandsos@gmail.com](mailto:mheilmandsos@gmail.com)  
36 701.527.4621  
37

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.**

- 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.

SECTION 2. APPROPRIATION - SUPERINTENDENT OF PUBLIC INSTRUCTION -

There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$300,000, or so much of the sum as may be necessary, to the superintendent of public instruction for the purpose of providing grants to school districts to obtain supplies for defraying the cost of implementing wireless communication device policies. Each district may receive a maximum grant amount of \$20,000 beginning July 1, 2025, and ending June 30, 2027



25.1182.02000

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5 and enacted as follows:

- 6 ~~Wireless communication device policy.~~ *Personal electronic device*  
7 1. As used in this section, "~~wireless communication 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, ~~2027~~ *2026*, a school district in coordination with the board of the school  
12 district shall adopt and implement a ~~wireless communication device policy~~ *personal electronic* 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~~ *personal electronic*  
15 ~~hours;~~  
16 b. ~~Authorizes a teacher to allow a student to use a wireless communication device~~ *personal electronic*  
17 ~~for educational purposes during instructional time;~~  
18 c. ~~Permits a student to use a wireless communication device to manage the~~ *personal electronic*  
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 device during school hours if the use of the wireless communication~~ *personal electronic*

*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 <sup>personal electronic</sup> ~~wireless communication~~ device policy.  
8 d c. Annually review and update policies based on emerging research and data  
9 regarding <sup>personal electronic</sup> ~~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.

2-10-2020  
 T Senator Wobbe  
 25.1182.02000

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- 10 or gaming device.
- 11 2. Before January 1, <sup>2026</sup> ~~2027~~, a school district in coordination with the board of the school
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- 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*

*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~~ <sup>personal electronic</sup> b. Publish on its website the ~~wireless communication~~ device policy.
- 8 ~~d~~ <sup>personal electronic</sup> c. Annually review and update policies based on emerging research and data  
9 regarding ~~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.

2-10-2020  
 T Senator Wobbenma  
 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 device~~" means a *personal electronic* <sup>student owned</sup> 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, <sup>2026</sup> ~~2027~~, a school district in coordination with the board of the school
- 12 district shall adopt and implement a ~~wireless communication device~~ *personal electronic* 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*

*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~~ <sup>personal electronic</sup> Publish on its website the wireless communication device policy.
- 8 ~~d~~ ~~c~~ <sup>personal electronic</sup> Annually review and update policies based on emerging research and data  
9 regarding 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.
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## Insert Section 2 Appropriation - Superintendent of Public Instruction

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2-10-2020  
 T Senator Wobbe  
 25.1182.02000

Sixty-ninth  
 Legislative Assembly  
 of North Dakota

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- 7 1. As used in this section, ~~"wireless communication device"~~ *personal electronic* means ~~a portable wireless~~ *student owned*
- 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~~ *2026*, a school district in coordination with the board of the school
- 12 district shall adopt and implement a ~~wireless communication device policy~~ *personal electronic* 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~~ *personal electronic*
- 15 ~~hours;~~
- 16 b. ~~Authorizes a teacher to allow a student to use a wireless communication device~~ *personal electronic*
- 17 ~~for educational purposes during instructional time;~~
- 18 c. ~~Permits a student to use a wireless communication device to manage the~~ *personal electronic*
- 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.~~
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- 24 ~~communication device during school hours if the use of the wireless communication~~ *personal electronic*

*b. a student from using a personal electronic device for medical or behavioral requirement as prescribed by competent authority.*

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## 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.

# 2025 SENATE STANDING COMMITTEE MINUTES

**Education Committee**  
Room JW216, State Capitol

SB 2354  
2/10/2025

Relating to school district wireless communication device policies.
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3:47 p.m. Chairman Beard called the meeting to order.

Members Present: Chairman Beard; Vice-Chairman Lemm; Senators: Axtman, Boschee, Gerhardt, and Wobbema.

**Discussion Topics:**

- Committee Action

3:50 p.m. Senator Axtman moved a Do Pass as amended and rerefer to Appropriations.

3:50 p.m. Senator Boschee seconded the motion.

Senators	Vote
Senator Todd Beard	Y
Senator Randy D. Lemm	Y
Senator Michelle Axtman	Y
Senator Josh Boschee	Y
Senator Justin Gerhardt	Y
Senator Mike Wobbema	Y

Motion Passed 6-0-0

Senator Axtman will carry the bill.

3:55 p.m. Chairman Beard closed the hearing.

*Susan Helbling, Committee Clerk*

**REPORT OF STANDING COMMITTEE  
SB 2354**

**Education Committee (Sen. Beard, Chairman)** recommends **AMENDMENTS** ([25.1182.02001](#)) and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2354 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

**2025 SENATE APPROPRIATIONS**

**SB 2354**



# 2025 SENATE STANDING COMMITTEE MINUTES

## Appropriations - Education and Environment Division Sakakawea Room, State Capitol

SB 2354  
2/14/2025

A BILL for an Act to create and enact a new section to chapter 15.1-07 of the North Dakota Century Code, relating to school district personal electronic device policies; and to provide an appropriation.

9:03 a.m. Chairman Sorvaag called the meeting to order.

Members Present: Chairman Ronald Sorvaag, Senator Cole Conley, Senator Scott Meyer, Senator Donald Schaible, Senator Paul J. Thomas.

### **Discussion Topics:**

- Effects of cell phone use
- Local policy requirements
- Funding for storage containers

9:03 a.m. Senator Axtman, District 7, introduced the bill in favor and answered committee questions.

9:12 a.m. Chairman Sorvaag closed the meeting.

*Steven Hall, Committee Clerk*

# 2025 SENATE STANDING COMMITTEE MINUTES

## Appropriations - Education and Environment Division Sakakawea Room, State Capitol

SB 2354  
2/14/2025

A BILL for an Act to create and enact a new section to chapter 15.1-07 of the North Dakota Century Code, relating to school district personal electronic device policies; and to provide an appropriation.

11:11 a.m. Chairman Sorvaag called the meeting to order.

Members Present: Chairman Ronald Sorvaag, Senator Cole Conley, Senator Scott Meyer, Senator Donald Schaible, Senator Paul J. Thomas.

### Discussion Topics:

- Sources and Distributions of Funding.

11:11 a.m. Senator Schaible testified in neutral and moved to adopt amendment LC #25.1182.03001 and submitted testimony in favor #37897.

11:12 a.m. Senator Meyer Seconded the motion.

Senators	Vote
Senator Ronald Sorvaag	Y
Senator Cole Conley	Y
Senator Scott Meyer	Y
Senator Donald Schaible	Y
Senator Paul J. Thomas	Y

Motion Passed: 5-0-0.

11:13 a.m. Senator Schaible moved a Do Pass as amended.

11:13 a.m. Senator Meyer Seconded.

Senators	Vote
Senator Ronald Sorvaag	Y
Senator Cole Conley	Y
Senator Scott Meyer	Y
Senator Donald Schaible	Y
Senator Paul J. Thomas	Y

Motion Passed: 5-0-0.

Senator Schaible will carry the bill.

11:14 a.m. Chairman Sorvaag closed the meeting.

*Steven Hall, Committee Clerk*

25.1182.03001  
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.~~

# 2025 SENATE STANDING COMMITTEE MINUTES

## Appropriations Committee Harvest Room, State Capitol

SB 2354  
2/17/2025

A BILL for an Act to create and enact a new section to chapter 15.1-07 of the North Dakota Century Code, relating to school district personal electronic device policies; and to provide an appropriation.

2:53 p.m. Chairman Bekkedahl opened the hearing.

Members Present: Chairman Bekkedahl, Vice-Chairman Erbele, and Senators Burckhard, Cleary, Conley, Davison, Dwyer, Magrum, Mathern, Meyer, Schaible, Sorvaag, Thomas, Wanzek.

Members Absent: Senators Dever, Sickler.

### Discussion Topics:

- Committee Action

2:54 p.m. Senator Schaible introduced the bill.

2:56 p.m. Senator Schaible moved amendment LC 25.1182.03001.

2:56 p.m. Senator Sorvaag seconded the motion.

Senators	Vote
Senator Brad Bekkedahl	Y
Senator Robert Erbele	Y
Senator Randy A. Burckhard	Y
Senator Sean Cleary	Y
Senator Cole Conley	Y
Senator Kyle Davison	Y
Senator Dick Dever	A
Senator Michael Dwyer	Y
Senator Jeffery J. Magrum	Y
Senator Tim Mathern	Y
Senator Scott Meyer	Y
Senator Donald Schaible	Y
Senator Jonathan Sickler	A
Senator Ronald Sorvaag	Y
Senator Paul J. Thomas	Y
Senator Terry M. Wanzek	Y

Motion Passed 14-0-2.

2:57 p.m. Senator Schaible moved a Do Pass as Amended.

2:57 p.m. Senator Meyer seconded the motion.

<b>Senators</b>	<b>Vote</b>
Senator Brad Bekkedahl	Y
Senator Robert Erbele	Y
Senator Randy A. Burckhard	Y
Senator Sean Cleary	Y
Senator Cole Conley	Y
Senator Kyle Davison	Y
Senator Dick Dever	A
Senator Michael Dwyer	Y
Senator Jeffery J. Magrum	Y
Senator Tim Mathern	Y
Senator Scott Meyer	Y
Senator Donald Schaible	Y
Senator Jonathan Sickler	A
Senator Ronald Sorvaag	Y
Senator Paul J. Thomas	Y
Senator Terry M. Wanzek	Y

Motion Passed 14-0-2.

Senator Schaible will carry the bill.

2:58 p.m. Chairman Bekkedahl closed the hearing.

*Elizabeth Reiten, Committee Clerk*



February 14, 2025

Sixty-ninth  
Legislative Assembly  
of North Dakota

**PROPOSED AMENDMENTS TO  
FIRST ENGROSSMENT**

HD  
2/17/25  
Page 1 of 2

**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  
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3 ~~appropriation.~~

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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.
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- 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.
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- 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~~

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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.~~



**REPORT OF STANDING COMMITTEE  
ENGROSSED SB 2354**

**Appropriations Committee (Sen. Bekkedahl, Chairman)** recommends **AMENDMENTS** ([25.1182.03001](#)) and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 2 ABSENT OR EXCUSED AND NOT VOTING). SB 2354 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

**2025 HOUSE EDUCATION**

**SB 2354**

# 2025 HOUSE STANDING COMMITTEE MINUTES

## Education Committee Coteau AB Room, State Capitol

SB 2354  
3/26/2025

Relating to school district personal electronic device policies.
--

9:00 a.m. Chairman Heinert called the meeting to order.

Members Present: Chairman Heinert, Vice Chairman Schreiber- Beck, Representatives, Conmy, Hager, Hatlestad, Hauck, Heilman, Longmuir, Maki, Marchall, Morton, Novak, Osowski

Members absent: Representative Jonas

### Discussion Topics:

- Cell phone use in schools
- School test scores
- Student mental health
- Benefits of phone free schools
- Student engagement

9:01 a.m. Senator Michelle Axtman, North Dakota Senator for District 7, introduced the bill, proposed Amendment LC: 25.1182.04001, testimony #44133 and provided testimony. #44002.

9:22 a.m. Lieutenant Governor Michelle Strinden, Lieutenant Governor of North Dakota, testified in favor.

9:30 a.m. Casey Mock, Senior Policy Advisor at The Anxious Generation, testified in favor and provided testimony #44103.

9:38 a.m. Addyson Rademacher- Nyame, Mandan Middle School Student Council, testified in favor.

9:40 a.m. Governor Kelly Armstrong, North Dakota Governor, testified in favor.

9:44 a.m. Arron Anderson, Career and Technical Education Director for Southwest Area CTE Academy, testified in favor and provided testimony #43752.

10:00 a.m. Senator Mile Wobbema, North Dakota Senator for District 24, testified in favor and provided testimony #44134.

10:06 a.m. Pat Traynor, North Dakota Medical foundation, testified in favor and provided testimony #44150.

10:17 a.m. Dena Venneman, Dickinson High School, testified in favor and provided testimony #43811.

10:21 a.m. Darin Anderson, Director of State Radio Emergency Communication Center within the Department of Emergency Services, testified in favor and provided testimony #43934.

10:24 a.m. Katie Fitzsimmons, North Dakota Parent, testified in favor and provided testimony #44122.

10:30 a.m. Dr. Jeff Fastnacht, Superintendent at Bismarck Public Schools, testified in favor and provided testimony #43504.

**Additional written testimony:**

Amy De Kok, Executive Director of the North Dakota School Boards Association, submitted testimony in favor #44116.

Kirsten Baesler, State Superintendent of the North Dakota Department of Public Instruction, testified in favor and provided testimony #44119.

10:38 a.m. Chairman Heinert closed the hearing.

*Leah Kuball, Committee Clerk*

1   **Testimony for HB 1160 and SB 2354 – Cell Phone Use**

2   *Dr. Jeff Fastnacht, Superintendent, Bismarck Public Schools*

3   Good morning, House and Senate Education

4   I am providing testimony in support of the need to provide legislative support to  
5   schools and school districts as we adapt to the evolving landscape of technology  
6   use by our children within the school setting. The research is piling up that our  
7   children, we as humans, are being negatively affected by screen time and the  
8   constant bombardment of messages, notifications, beeps, and rings. Our present  
9   reality of how cell phones and technology are interfacing with our personal lives is  
10   impacting the ability of our students to engage fully in the learning environment.

11   I will be speaking to both House Education and Senate Education this morning on  
12   this topic. I fully support legislation that allows school districts the ability to  
13   develop comprehensive policies to address technology use, including cell phones,  
14   during instructional time. We need your support with legislation, but I would also  
15   ask that we have legislation that allows us to adapt and change as technologies  
16   continue to evolve. Both committees have heard testimony about how  
17   technology can be used effectively in the classroom, and we want to retain that  
18   ability to use these tools when they advance the learning of our children. You  
19   have also heard about the specific ways technology is supporting students with  
20   Individualized Education Plans (IEPs). You must craft legislation that allows our  
21   teams to navigate the wide of needs we see in our students and how technology  
22   is supporting them. You have also heard about students who use technology for  
23   health-related concerns; again, we need your support to be able to navigate those



1 issues. Each of these issues is best addressed at the local level in sound and  
2 community-developed policy. We need community support to move this issue  
3 forward, and working with our parents and community members to determine  
4 what is best for our kids will make wise policy. For these reasons, I would ask both  
5 committees to lend their collective support to HB 1160. BPS and other school  
6 leaders have been working with Rep. Jonas since its initial hearing, and we feel it  
7 is the best vehicle to achieve what we all desire. A school environment that is  
8 focused on education, rather than the distractions that technology often brings  
9 into our lives.

**Southwest Area CTE Academy**

(701) 456-3270

[www.dickinson.k12.nd.us](http://www.dickinson.k12.nd.us)271 34th St West  
Dickinson, ND 58601

March 25th, 2025

Chairman Heinert, members of the House Education Committee,

For the record, my name is Aaron Anderson, and I serve as the Career and Technical Education Director at Southwest Area CTE Academy and Dickinson Public Schools. I appreciate the opportunity to testify in support of SB2354.

Two years ago, our CTE Center, made a significant investment to install cellphone lockboxes in each of our classrooms. This decision was not made lightly. We implemented this policy to fully engage students in our technical skills programming and to replicate the professional expectations that many employers place on their employees. Feedback from industry partners consistently highlights the significant loss of productivity due to personal cellphone use on the job, and we recognized similar challenges within our own classrooms and labs. When our partners see the use of the lockboxes in our spaces, they are overwhelmingly positive and say we are doing the right thing for our students.

Our policy requires students to place their personal devices into these lockable boxes upon entering the classroom. Prior to this, many of our instructors attempted solutions such as shoe caddies, out of site, or collection boxes but these methods raised concerns from students, parents and teachers regarding security and safety of the devices, as they were easily accessible. The installation of secure lockboxes ensured that devices were safely stored while allowing students to focus entirely on their coursework.

The financial commitment for this initiative was not insignificant. We invested approximately \$150 per classroom, equipping 20 classrooms at a total cost of nearly \$3,000. Fortunately, we were able to utilize donor funding to support these purchases. However, many of our other CTE Centers and partner schools do not have access to these financial resources, making it difficult for them to implement similar policies. Dickinson High School, our largest partner school, has not adopted a similar structure due to the significant cost of equipping classrooms with lockboxes or cell phone pouches.

I appreciate the language in SB2354 that allows schools to establish policies that work best for their unique needs while acknowledging the necessity of complying with IEPs, 504 plans, and other medical accommodations, which we currently do for students that always require cellphones in their possession. Additionally, I support the potential amendment to provide funding to help offset the costs of these devices, making implementation feasible for more schools. While Southwest Area CTE has invested in the lockboxes as a solution, it was not our

first choice, but what we chose based on available resources. Many schools would struggle to implement similar measures without financial assistance from the state.

Another important consideration when discussing cellphone policies is access to technology that supports learning. Dickinson Public Schools is a one-to-one district, providing every student with a Chromebook to support their education. At SWCTE we rely on these school-provided devices, as the use of technology is a critical component of our instruction. However, many of our partner schools in Southwest North Dakota do not provide students with personal devices. Because of this, we have had to invest thousands of dollars to purchase additional devices to ensure all students have the necessary tools for learning and still enforcing our cell phone expectations. While cellphone restrictions can be beneficial, many schools and classrooms allow students to use their phones as a learning tool and to enhance instruction while saving costs for their districts. Granting local schools, the authority to determine what works best for their specific situation is essential.

The impact of cellphone use extends beyond academic distractions. Dickinson High School has seen an increase in bullying, inappropriate communication, and cellphone-related incidents leading to physical altercations this school year. We have not observed similar behaviors migrating to our campus at their level, and I believe our cellphone policy has played a critical role in maintaining a focused and respectful learning environment.

While these lockboxes have provided a practical solution, we also recognize the challenges associated with their use. Some students bring secondary "burner" phones to bypass the policy, the increase presence of smart watches and there are instances of staff inconsistency in enforcement. Additionally, some students have expressed heightened anxiety due to the inability to communicate with friends and family during the school day. These are real concerns, but they are far outweighed by the benefits of minimizing distractions and fostering an environment that prepares students for the expectations of the workforce.

I strongly support SB2354 and the proposed amendment, which provides schools with the flexibility to implement cellphone policies that align with their needs while also considering the resources available. The potential for financial support to help schools invest in these solutions would be a significant step forward. I urge you to consider the positive impact that structured cellphone policies can have on student focus, classroom behavior, and overall academic success. Thank you for your time and consideration, and I welcome any questions you may have.

Aaron Anderson  
CTE Director  
Southwest Area CTE Academy  
aanderson@dpsnd.org

March 25th, 2025

Chairman Heinert, members of the House Education Committee,

For the record, my name is Dena Venneman, and I serve as a High School Science Teacher and Department Chair at Dickinson Public Schools. I appreciate the opportunity to testify in support of SB2354.

I have been teaching for sixteen years. Thirteen of those have been at Dickinson High School. Over the past few years, student cell phone usage in my classroom has increased dramatically. When students have the opportunity to have their phones in class, their level of engagement drops significantly. If given the chance, many would be on their phones for the entire class period. This has become a daily battle, and some teachers have given up the fight. Unfortunately, I believe this is negatively impacting our youth by inhibiting their ability to learn effectively.

Over the years, we have tried numerous strategies to combat cell phone usage in the classroom. One of these approaches was to teach proper use of phones. I believe I currently collect phones at the beginning of class, but students often bring burner phones to bypass this policy. When phones are not collected, students sneak them out into the hallways, where they engage in inappropriate behavior such as texting friends to meet up in the bathroom to vape, coordinating fights, and recording altercations to post on social media.

Concerns about how smartphone usage affects student well-being and learning are shared by educators, parents, and policymakers. Even when turned off or placed on airplane mode, cell phones still present a significant distraction, reducing student engagement and focus. These devices offer access to texting, games, social media, and the Internet, all of which can negatively impact learning outcomes.

Here are some reasons why I believe we should prohibit cell phones in our school.

1. **Reduce Classroom Distractions** – Eliminating phones from the classroom will help students focus on their lessons rather than social media or text messages.
2. **Increase Student Engagement** – Without the lure of their phones, students are more likely to participate in classroom discussions and activities.
3. **Increase Academic Achievement** – Reduced distractions can lead to better comprehension and improved performance.
4. **Increase Face-to-Face Social Interactions** – Encouraging real-life conversations fosters better communication and social skills. When their phones

are out, they don't visit with each other. Kids used to love down time to visit with their friends. Now, it's quiet and kids do not interact with each other.

5. **Reduce Cyberbullying During the School Day** – Without phones, students have less opportunity to engage in harmful online behavior while at school.
6. **Inappropriate Use of Cameras and Social Media** – Students often take unauthorized photos or videos of staff and peers, which can lead to privacy violations and legal concerns.
7. **Security and Safety Concerns** – In emergency situations, students may focus on recording events rather than following safety protocols, leading to increased risks.

In conclusion, to foster a focused, safe, and productive learning environment, schools should enforce strict policies that limit cell phone use during school hours. Doing so will help minimize distractions, allow staff to focus on education rather than discipline, and prevent inappropriate social media behavior. By prioritizing student engagement and academic success, we can better prepare our youth for the future.

Dena Venneman  
Science Teacher at Dickinson High School  
dvenneman@dpschools.org



**TESTIMONY OF  
DARIN ANDERSON, DIVISION DIRECTOR OF STATE RADIO  
DEPARTMENT OF EMERGENCY SERVICES – DIVISION OF STATE RADIO  
BEFORE THE  
HOUSE EDUCATION COMMITTEE  
26 MARCH 2025  
IN SUPPORT OF SENATE BILL 2354**

Good Morning Chairman Heinert and Members of the Committee. Thank you for the opportunity to speak on this important matter today. For the record my name is Darin Anderson, Division Director of State Radio within the Department of Emergency Services.

I am here to testify today in support of SB 2354 and the impacts of cell phones in schools when emergency situations arise. This can also have impacts on Emergency Communications Centers or Emergency Dispatch Centers. In the event of a large-scale emergency situation students, faculty, and parents all start using cellular devices to call 9-1-1. Students may also start calling parents and the parents initiate the 9-1-1 call.

All those cellular devices will begin to saturate the cellular infrastructure in that area. Those students, faculty, and parents will start to see “call failed” messages or “other call related issues”. This will also impact those needing to speak with 9-1-1 Public Safety Telecommunicators or dispatchers.

The same saturation happens within an Emergency Communications Center or Dispatch Center. There are a set number of 9-1-1 lines in each center. When they become over saturated those 9-1-1 calls roll or forward to the center’s administrative lines. If those calls go unanswered, the calls abandon to another emergency communications center entirely.

When multiple callers initiate the 9-1-1 calls, misinformation can be reported to emergency call takers. This misinformation can lead to incorrect threat assessments and emergency response planning. This can also happen when parents call 9-1-1 because their child called them to report the event. This high volume of calls from various callers and locations impacts the information gathering, processing, and response of public safety agencies.

Thank you for the opportunity to speak with you today and stand ready for any questions you may have.

**Senate Bill 2354**  
**Sen. Michelle Axtman**  
**House Education Committee**  
**March 25, 2025**

Good morning, Chairman Heinert and members of the House Education Committee. For the record, my name is Michelle Axtman, Senator from District 7. I am excited to be here today to present this legislation to this committee, to our schools, our communities, and our state as it is an opportunity to make a positive step to address the public health emergency we have been facing since 2012, the reliance on and addiction to personal electronic devices and social media, particularly in our youth. "We all understand the joys of our always-wired world—the connections, the validations, the laughs ... the info. ... But we are only beginning to get our minds around the costs." Andrew Sullivan ([2016](#))

You all have been handed a copy of a hog house amendment to SB 2354, which I will be thorough discuss momentarily. But first, I want to direct you to the final lines in the current version of the bill. Lines 14-15 of page 2 states that schools must: "Annually review and update policies based on emerging research and data regarding personal electronic device use in schools."

I started drafting this legislation in the fall, and it didn't even take the length of an entire year to receive the latest emerging research and data from across the world, that clearly demonstrates that the most effective way to reverse the negative trends we have been witnessing and start increasing test scores, combating mental

health issues, and reducing classroom disturbances is to support our schools and our students by enacting a clear and concise state wide, bell to bell device free policy.

The average American teen now spends nearly 8 and a half hours a day on screens, usually on their phone, often in school. Spending three or more hours a day on social media doubles a kids' risk of mental health problems. Since smartphones became widespread, suicide rates have tripled among young teens, self-harm among girls has gone up nearly 200%, and depression among teenagers has increased 150%. A [meta-analysis of 26 such studies](#) found that the risk of depression increased by 13% for each hour increase on social media for adolescents (and that increase was even higher for girls).<sup>1</sup> Young people receive an [average of 237 notifications](#) everyday. Teen's math, reading, and science scores have dropped in the United States since 2012, and yet school alienation has risen across the board.

## AMENDMENT DISCUSSION

Now you may be wondering why we wouldn't just limit student phone use *during instructional time*, but this approach has shown to be unproductive and in some cases even counterproductive as it still allows for students to rush to their phones between classes, at lunch, or during recess, costing them valuable opportunities to connect with one another face-to-face.

A classtime-only rule also doesn't give teachers as much benefit as they might expect. [Research from the National Education Association](#) found that 73% of teachers in schools that allow phone

use BETWEEN classes report that phones are disruptive DURING class. It's only when students have 6-7 hours away from their phones that they fully turn to each other and to their teachers.

Kids in phone-free schools sometimes say that after they turn in their phones, it takes a little while for them to forget the drama and turn their attention fully to what's happening around them. But if the drama is refreshed every 50 minutes, between classes, then many students will spend very little of the school day being fully present.

You may ask, what about local control?

The amendment still allows for the local district a high level of discretion on how they implement the bell to bell policy. However, a state wide requirement eliminates any confusion across districts, it sets a norm for entire schools, districts, communities, and our state. It allows students to relax, knowing that they will not be missing activity from friends at other schools. It allows teachers to not have to decide how they will enforce it in their classrooms. It allows school and district leaders to rely on clear guidance and intent from our state law. I hope it gives our teachers and school leaders a sigh of relief.

**...It all has sucked a lot of joy out of teaching, because it's no longer teaching. It's phone addiction management. And that's not my cup of tea.**

I know that there will be plenty of questions as we ask our schools to implement, but I think we are all ready to rally together to help tackle those questions and come up with solutions because, truthfully, for the sake of our youth, I don't think we can afford to wait.

Dear Chair Heinert and members of the Committee,

We are writing in support of SB 2354 and in support of phone free schools in North Dakota. We applaud the “bell to bell” device separation mandate that applies to all schools and the overall strength of the amended bills.

We are the author and primary researcher of the book, *The Anxious Generation*, which documented the negative effects that smartphones and heavy use of social media has had on youth around the globe. The book has spent more than 35 weeks at the top of bestseller lists and has been used to motivate grassroots mobilization of students, teachers, administrators, and parents for phone free schools. Technology can certainly provide benefits to young people, but the current business incentives and practices of some tech companies are leading them to cause vast harm to children and adolescents. Protecting kids from online harm is non-partisan, and supported by the majority of Americans. Legislators have the opportunity to take clear decisive action, joining the bi-partisan movement to protect kids’ mental health, attention, and relationships by supporting phone-free schools.

The proposed legislation would be an important step in giving kids a break from harmful and addictive technology for the 6-7 hours each weekday that they are at school. This is critically important for students, as well as for teachers and administrators. Schools influence 13 years of critical child development and can help students establish lifelong patterns of healthy behavior. Based on our research, we believe that phone free policies are likely to provide substantial academic, socio-emotional, safety, and economic benefits for schools.

Phone-free schools are likely to reduce distraction and increase student focus. Recent studies have found that students receive an average of [237 notifications](#) each day. Just during the school day, [students spend an average of 90 minutes on their phones](#), with 25% spending more than 2 hours. [Experimental studies](#) have found that student use of devices reduces subsequent academic performance. [35 percent of students](#) admit to using their phones to cheat. [Many instances](#) of bullying and fighting begin with electronic communications.

Teachers, who are most qualified to comment on the effects of phones in schools, see the problem. [84%](#) of educators believe that social media contributes to mental health issues among students at their schools. [91%](#) said social media has negatively impacted how students treat people in real life.

The problems have reached a tipping point. Teacher morale is plummeting and [some teachers](#) have been driven to quit. [88% of teachers](#) believe that smartphones make their students more distracted or tired, while 74% believe they make students more depressed, anxious, or lonely and 85% believe they increase student conflict and bullying. [72% of high school teachers](#) say that cell phone distraction in their classes is a major problem. [83% of teachers](#) support a policy that prohibits phone use for the entire school day.

In general, we recommend that any policy have five essential features:



1. **Require all schools in the state to comply.** - This eliminates any confusion across districts, sets a norm for an entire community, and allows students to relax, knowing that they will not be missing activity from friends at other schools. We appreciate that the current bill sets a strong policy now, while the issue has legislative attention.
2. **Physically separate students from all personal devices.** - The regular use of devices in school is a distraction to students, whether a device is a smartphone or is just used to receive text messages. We appreciate that the current bill does this.
3. **Ban phones for the entire school day.** A classtime-only rule also doesn't give teachers as much benefit as they might expect. Research from the National Education Association [found that](#) 73% of teachers in schools that allow phone use *between* classes report that phones are disruptive *during* class. In contrast, of the several policies examined, only the phone-free or "away for the day" policy produced good results with only 28% of teachers in such schools saying that phones were disruptive during their classes. It is only when students have 6-7 hours away from their phones that they fully turn to each other and to their teachers. We appreciate that North Dakota's bill is indeed "bell to bell" in that it mandates separation for the entire school day.
4. **Stop schools from requiring smartphones and social media use.** Schools should not use social media as a primary communications tool, to allow parents the freedom to make individual choices about whether or not to use social media, both for themselves and their kids.
5. **Include two (and only two) important exceptions.** While it may be tempting to add many exceptions to placate parent fears, there are only two that we have found to be widely necessary: medical needs, and special education needs. Some students may have a legitimate health or educational need that requires access to their own smartphone. On the other hand, a common exception that gets included in many bills is mandating that students should have access to their phones in case of emergencies. But these exceptions are problematic because while it makes perfect emotional sense for parents to want to talk to kids during an emergency, [experts](#) suggest that kids should be focused on listening to instructions during emergencies, not on calling parents. We appreciate that the current bill has limited exceptions.

In summary, we support this effort and applaud North Dakota's efforts that will be aligned with best practices across the nation.

We have yet to find a school that earnestly tries to go phone free and regrets it. Students, teachers, and administrators are [reporting a wide range of](#) positive benefits, from in-person socialization and laughter in the hallways to reduced distraction and improved student engagement.

We thank you for your efforts to protect kids in North Dakota and would be glad to follow up further.

Sincerely,  
Jonathan Haidt & Zach Rausch



**NDSBA**  
**NORTH DAKOTA SCHOOL  
BOARDS ASSOCIATION**

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**SB 2354**

**Testimony of Amy De Kok  
House Education Committee  
March 26, 2025**

Chairman Heinert and members of the Senate Education Committee, my name is Amy De Kok, and I am the Executive Director for the North Dakota School Boards Association (NDSBA). NDSBA represents all 168 public school districts and their governing boards. I am here in support of SB 2354, a bill that ensures school districts adopt policies regarding the use of personal electronic devices while preserving local decision-making authority. The bill appropriately acknowledges the evolving role of technology in education while balancing the need for structure, discipline, and student well-being in the classroom.

SB 2354 requires school districts to implement policies by August 1, 2026, that minimize or prohibit student use of personal electronic devices during school hours, with exceptions that recognize both educational benefits and individual student needs. Importantly, the bill provides flexibility for teachers to integrate technology into their instructional methods while ensuring that student health and disability-related accommodations are fully supported.

By allowing local school boards to work directly with educators, parents, and students, SB 2354 fosters policies that align with the specific needs of each school community. This approach respects the diversity of educational environments across North Dakota and enables schools to develop evidence-based strategies that optimize student engagement and learning outcomes.

SB 2354 takes a similar approach to HB 1160, which is currently being heard in the Senate. Both bills emphasize the importance of local control, ensuring that school districts maintain the flexibility to craft policies that best serve their unique student populations. Like HB 1160, SB 2354 strikes a balance between maintaining classroom discipline, promoting effective instructional use of technology, and recognizing necessary accommodations for students with medical or educational needs.

The bill also includes several key provisions that enhance its effectiveness:

- **Educational Flexibility** – Teachers may allow students to use personal electronic devices when such use aligns with instructional goals, ensuring that technology remains a tool for learning rather than a distraction.
- **Medical and Disability Accommodations** – Students who require personal electronic devices for health management or accessibility under an Individualized Education Program (IEP) or a Section 504 plan are granted appropriate accommodations in accordance with federal law.
- **Community Engagement** – School districts are required to solicit input from stakeholders, including parents, educators, and students, ensuring that local perspectives shape policies that are practical and effective.
- **Ongoing Policy Review** – The bill mandates an annual review of personal electronic device policies, allowing school districts to adapt to emerging research and best practices in technology use for student learning and well-being.

This legislation reflects a thoughtful approach to managing personal electronic devices in schools, balancing discipline with educational innovation. It acknowledges that while electronic devices can pose challenges to classroom focus and student well-being, they also offer valuable educational tools when used appropriately. By maintaining local control and prioritizing student needs, SB 2354 supports a responsive, adaptable approach to personal electronic device policies in schools.

For these reasons, I urge the Committee to support SB 2354. Thank you for your time and consideration.

**TESTIMONY ON SB 2354**  
**HOUSE EDUCATION COMMITTEE**  
**Wednesday, March 26, 2025**  
**By: Kirsten Baesler, State Superintendent**  
**701-328-4570**

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Chairman Heinert and members of the House Education Committee,

For the record, my name is Kirsten Baesler, and I serve as the Superintendent of the North Dakota Department of Public Instruction. Thank you for the opportunity to speak in strong support of House Bill 1160 and Senate Bill 2354. These bills provide a much-needed, statewide framework to address the use of personal electronic devices in our schools — a step that is both practical and urgently needed.

As North Dakota's State Superintendent for more than a decade, I've had thousands of conversations with our teachers, students, and school leaders. Every year, those conversations grow more concerning. I continue to hear — with increasing frequency and urgency — that our teachers can't even teach the basics anymore because student mental health challenges have become so overwhelming in our classrooms.

Each legislative session, we see multiple bills requesting more funding for schools to hire additional counselors, social workers, and psychologists. These are good and necessary asks — but at some point, we must ask ourselves: Are we also willing to take the steps that would *prevent* the crisis from getting worse in the first place?

If we're not prepared to support a policy that will absolutely help curtail the mental health epidemic affecting our children, then we shouldn't continue to ask for more resources to deal with its consequences.

These bills give us that opportunity. By limiting access to personal electronic devices during school hours — with appropriate exceptions for medical and learning accommodations — we are giving our students the gift of attention, connection, and presence. We are removing the constant pull of comparison and distraction and replacing it with space to learn and grow.

We've seen this approach work in other states. Arkansas passed the “Bell to Bell, No Cell” Act, and Virginia has moved forward under Executive Order 33 to guide schools toward cell phone-free learning environments. These states are acting on the overwhelming research — like what is presented in Jonathan Haidt's *The Anxious Generation* — that the constant presence of smartphones and social media in our children's lives is rewiring their brains, disrupting healthy development, and feeding an epidemic of anxiety, depression, and loneliness.

This isn't just a policy issue. This is a moral and developmental one.

In my regular conversations with members of the North Dakota State Superintendent's Student Cabinet, I've learned that even when schools *do* have phone policies, they're often left to individual teachers to enforce. Some do, and



some don't. That inconsistency creates confusion for students and frustration for staff. Worse, it erodes the effectiveness of the policy itself.

We often talk about taking things off teachers' plates. Here's our chance to act on that. Teachers are meant to teach, not to police cell phone use. By passing these bills, we relieve them of that impossible burden — and we do it in a way that is fair, consistent, and transparent.

This bill is about doing right by every student in every zip code and in every classroom. Don't all of our children deserve to know that we are looking out for their mental health just as seriously as we protect their physical health? We have laws that prevent harmful chemicals, unsafe equipment, and environmental hazards from entering our schools. Why wouldn't we do the same for the digital forces we now know are damaging our children's emotional and psychological well-being? Health is health — and it's time our policies reflected that truth.

This is not a ban on technology. It is a re-centering of school as a place for learning, relationships, and growth — free from the addictive tug of digital distractions.

I urge you to support SB 2354 as amended with the Governor's request. Let's take this step forward — for our students, our educators, and the future of North Dakota.

Respectfully submitted,

**Kirsten Baesler**

North Dakota State Superintendent of Public Instruction

Katie Cashman Fitzsimmons

District 35, Bismarck

cashmankatie@gmail.com

Good morning, Chair Heinert, Vice Chair Schreiber-Beck, and members of the House Education committee. My name is Katie Cashman Fitzsimmons and though I serve as the Director of Student Affairs for the North Dakota University System, today I present to you as a parent. I have taken a keen interest in youth phone use as those youth eventually head to our campuses. But also, my intentions are selfish; I hope we have the debate about kids' phone use in schools buttoned up for good before my kids hit middle school. This is why I am encouraging the committee to adopt the amendments to SB 2354 and ultimately a Do Pass recommendation on the bill.

I enjoyed a nearly perfect college experience at Gonzaga University in Spokane, Washington. Facebook was not yet invented, no one had cell phones, you called home once a month with a phone card, and we all managed to survive and thrive. I started my career in higher education in 2005 and until I left the field in 2011, the conversation swirled around how entitled students were; that they wanted to be treated like paying customers who were always right instead of like students that needed to be held accountable. When I returned to higher ed five years later in 2016, I expected more of the same, but instead, the everything had completely shifted. "Everyone is anxious! Everyone is depressed! Everyone is suicidal!" I was completely shocked. Many NDUS campuses had provided 40% more mental health services in the span of just three years. Alcohol use rates were dropping, but things didn't seem sunnier. Everyone was stressed and lonely. Our NDUS campuses have done their best to meet the needs of students not only to retain and graduate them, but truly to serve them as people and provide real care. I think our campuses have done a spectacular job, but some days, it feels like a Sisyphean task.

When I read Jonathan Haidt's book *The Anxious Generation* a year ago, it was like a giant plot twist was revealed to me. One that was in front of me the whole time. Literally, in front of my own face for hours a day. Cell phones. Simply put, North Dakota can make bold changes for our children's health with a bell-to-bell ban on cell phones.

Of course, mobile devices are not the only piece to the puzzle of loneliness, depression, anxiety, suicide, bullying, and attention spans, but they play a very large role. MIT Professor Sherry Turkle said about smartphones in 2015 that because of them, "we are forever elsewhere." When you are growing up, there's no more important place to be than right where you are. Passing this bill will bring many students back to where they need to be.

After reading *The Anxious Generation* and countless other resources on the topics of dopamine, brain development, the effects of technology on the brain, mental health, and school policies, I couldn't stop talking about it and it quickly morphed into a presentation for the Suicide Prevention Coalition Annual Conference in September 2024. I spoke alongside a School Resource Officer, a Police Youth Bureau staff member, and a

professional counselor. They each had valuable insight into the dangers of youth cell phone use; they spoke of the things of nightmares (suicide, sextortion, grooming, trafficking) and I spoke of sadness and a lack of connection. That presentation evolved into a two-hour parent program at my kids' school, which then turned into a parent group (ironically enough housed on Facebook) called "Hold the Phone!". We have dozens of parents like me who want a community that will foster in-person connections for kids and will stay committed to keeping kids off smartphones and social media for as long as possible. I've continued to present to other groups over the last few months as the appetite exists everywhere but people don't know how to reverse current trends.

Here are a few morsels from said presentation that look directly at the data from the American College Health Association-National College Health Assessment (ACHA-NCHA) that was deployed across all NDUS institutions in February 2024:

- 43% of students across the North Dakota University System report being lonely more often than not. National stats range as high as 65%
- 54.2% of NDUS students reported feeling that they lacked companionship
- 60.5% reported feeling left out
- 55.7% felt isolated from others
- When you look at how these emotions impact our staffing and services, look at the accessibility offices. For one campus, in 2014, 25% of their education accommodations were rooted in emotional needs (test anxiety, depression, etc.) while 75% of classroom accommodations were intellectual or physical (dyslexia, mobility, etc.). That same campus saw a complete shift in requests (75% emotional needs; 25% intellectual/physical) by 2019, just five years later.

Our daughter will be ten this summer, our oldest son will be eight next month, and our youngest just turned five. Our daughter closed out her Girl Scout cookie season this week having sold 1000 boxes by talking to strangers, fearlessly knocking on neighborhood doors, and genuinely thanking customers while looking them in the eye. My daughter was able to display more "soft skills" than some of our college graduates who have been hiding behind phones for a decade. My husband and I aim to raise our children to relish the ordinary, be kind, be patient, be empathetic, and be genuine. Those values run entirely incongruent with a life that's lived online, especially during the school day. We want kids to have the best chance to succeed at school with minimal interruptions and plenty of opportunities to be kids, with other kids, in real life, or IRL, as they say. Please support our students, teachers, and schools by approving the presented amendment and giving SB 2354 a Do Pass recommendation. I thank you for your time and your service; I will stand for questions.

25.1182.04001  
Title.

Prepared by the Legislative Council  
staff for Senator Axtman  
March 14, 2025

Sixty-ninth  
Legislative Assembly  
of North Dakota

## PROPOSED AMENDMENTS TO 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.~~ for an Act to create  
3 and enact a new section to chapter 15.1-07 of the North Dakota Century Code, relating to the  
4 use of personal electronic devices in public schools, education centers, charter schools, or  
5 training programs, which provide prekindergarten, elementary, or secondary education.

### 6 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

7 ~~SECTION 1. A new section to chapter 15.1-07 of the North Dakota Century Code is created~~  
8 ~~and enacted as follows:~~

#### 9 ~~Personal electronic device policy.~~

10 ~~1. As used in this section, "personal electronic device" means a portable wireless device~~  
11 ~~with the capability to provide voice, messaging, or other data communication between~~  
12 ~~two or more parties, including a cell phone, tablet computer, laptop computer, or~~  
13 ~~gaming device.~~

14 ~~2. Before August 1, 2026, a school district in coordination with the board of the school~~  
15 ~~district shall adopt and implement a personal electronic device policy that:~~

16 ~~a. Except as provided in subdivisions b and c and subsection 3, minimizes or~~  
17 ~~prohibits a student from using a personal electronic device during school hours;~~

18 ~~b. Authorizes a teacher to allow a student to use a personal electronic device for~~  
19 ~~educational purposes during instructional time;~~



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

**SECTION 1.** A new section to chapter 15.1-07 of the North Dakota Century Code is created and enacted as follows:

**Personal electronic devices - Prohibition during instructional time.**

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

- a. "Instructional time" means the time from the start of the school day until dismissal at the end of the school day, for which the signal may be the ringing of a bell, including a structured or unstructured learning experience, recess, lunch period, time in between classes, and field trip.**
- b. "Parent" means a parent or guardian of a student who is authorized to make decisions regarding education for the student.**



1           c. "Personal electronic communication device" means a portable electronic device  
2           capable of communication by voice, text, or other data with one or more other  
3           parties or devices, or capable of connection to a smartphone, the internet, or a  
4           cellular or wireless fidelity network, including a smartphone, cellular phone,  
5           bluetooth-enabled device, tablet, smartwatch or other wearable device, and  
6           gaming device. The term does not include:

7           (1) School-owned devices provided to a student in accordance with this section.

8           (2) Portable devices that meet the definition of a medical device under the  
9           federal Food, Drug and Cosmetic Act [21 U.S.C. 9 et seq.].

10          d. "School" means a public school, education center, charter school, or training  
11          program, providing prekindergarten, elementary, or secondary education.

12          e. "School-related activity" means a school sanctioned activity, event, or function,  
13          occurring outside of instructional time, at which students are under supervision of  
14          the school, whether on or off school premises, including a bus ride, field trip,  
15          sporting event, and school dance.

16          f. "Student" means an individual currently enrolled or registered at a school as  
17          defined under subdivision d of this section.

18          2. Each school district or applicable governing body shall adopt and implement a policy  
19          for schools which:

20          a. Requires all personal electronic communication devices be turned off, securely  
21          locked away, and inaccessible to students during instructional time;

22          b. Ensures students do not have access to personal electronic communication  
23          devices, by requiring the devices to be locked or stowed away in secure lockable  
24          pouches, phone lockers, pencil pouches, manila envelopes, or other inaccessible  
25          location;

26          c. Provides schools may limit student access to personal electronic communication  
27          devices outside of instructional time, during a school-related activity;

28          d. Includes enforcement provisions to ensure strict compliance with the policy by  
29          students and school employees; and



- 1        e. Provides a student may contact the student's parent or caregiver during the
- 2        school day if needed by using a school telephone made available to the student
- 3        in a manner and location designated by the school.
- 4        3. Notwithstanding subsection 2, a school may not prohibit a student from possessing or
- 5        using a personal electronic communication device, if:
- 6            (1) A licensed medical provider determines the possession or use of a personal
- 7            electronic communication device is necessary for the health or well-being of
- 8            the student; or
- 9            (2) The possession or use of a personal electronic communication device is
- 10          required by the student's individual education program or plan under section
- 11          504 of the federal Rehabilitation Act of 1973 [29 U.S.C. 794].
- 12        4. A school district shall collect data annually to measure the impact of its policy on
- 13        student behavior, mental health, disciplinary incidents, school attendance, and
- 14        academic performance.





# North Dakota Senate

STATE CAPITOL  
600 EAST BOULEVARD  
BISMARCK, ND 58505-0360



## Senator Mike Wobbema

District 24  
11829 31st Street SE  
Valley City, ND, 58072-9709  
[mwobbema@ndlegis.gov](mailto:mwobbema@ndlegis.gov)

## COMMITTEES:

Education  
Workforce Development (Chair)

29 January 2025

Chairman Heinert and members of the House Education Committee. For the record, I am Senator Mike Wobbema, District 24, and I am submitting testimony in favor of an amended SB 2354.

This past summer and fall, I attended conferences that spoke to the issue of students having access to personal electronic devices in school. It was a topic of special emphasis, expressing the level of concern, and desire for solutions. The actions of reducing, or preferably, eliminating, the use of those devices in schools has shown positive and promising results.

Social media organizations are on record in admitting that their products are intended to be addicting. Data shows that the average American teen spends more than 5 hours a day on social media, usually on their phones, often in schools, and research shows that three or more hours a day on social media doubles kids' risk of mental health problems. You have heard testimony on the increase in self-harm and mental health issues among our students since smartphones became widespread. School leaders have told us that there is a need for more mental health services, and the shortage of mental health professionals makes addressing this trend even more difficult. School halls are quiet as students shuffle from one class to another with their eyes glued to a screen. To quote US Surgeon General, Vevek Murthy; "We are in the middle of a national youth mental health crisis, and I am concerned that social media is an important driver of that crisis -- one that we must urgently address." Articles from publications such as: School Climate & Safety states, "Digital distractions in class linked to lower academic performance," and NEA News; "The Epidemic of Anxiety Among Today's Students: By high school and college, many students have run out of steam. Anxiety -- the mental-health tsunami of their generation -- has caught up with them, and further, from an article by Sarah P. Weeldreyer; "Social media and smartphones have tipped an entire generation into anxiety and depression. Is there anything to be done?"

But there are success stories out there. Also at these conferences, story after story was told of significant improvement of student engagement when personal electronic devices were secured. Mental health issues have been reduced, personal interaction increased and improved, participation in class improved, there has been an increase in participation in school activities such as clubs and sports, academic progress improved, and the

general mood in the whole school has become noticeably more positive. Recently, I spoke with the Superintendent of the Valley City Public School system. They have implemented a no phone policy, and the results have been very promising. Even the students have come to him expressing their appreciation for implementing their program. But we must do more. Addiction by its very nature requires intervention of some sort. An addict isn't capable of self-control in eliminating or reducing their need for a fix. For some students, merely saying that they must turn off their personal electronic devices or leave them in their locker won't be the necessary step to gain success. They can't help it... they're addicted. By taking the steps outlined in an amended SB 2354, we set the stage for our students' success in improving the many aspects of their lives that cause us concern and are the subject of discussion in these halls. This is a Bill about our students, and our future. Their mental health and resiliency, their academic success, their ability to positively interact with each other and society, along with other concerns we frequently strive to address in the halls of the State Legislature are all at stake.

For emphasis, it is not enough to have these personal electronic devices put away during class time. If the students know they have the ability to check immediately after class what has transpired during class, they will continue to be distracted during that class. Remember, this is an addiction, and they will want their next fix. By enacting the requirements of this piece of legislation, we are setting the stage for improving the aforementioned mental health, social interaction and academic issues that the distraction of these devices inhibits. Concerns such as security and access between parent and child are diversions from the real issue. Having access to personal electronic devices is not a necessity and presents the likelihood of being a hindrance in these cases. At the risk of sounding cliché, we seemed to do just fine in those areas of protest before these devices came along. This Bill is not intended to restrict legitimate necessary access during the school day for those students who may need unique consideration. Is this a perfect solution? Probably not. But data shows that taking steps such as this shows dramatic improvement in those areas of our students progress that are measured and are of particular concern.

Mr. Chairman and members of the committee, I strongly urge you to incorporate the amendment into SB 2354 and ask for your thoughtful consideration of a DO PASS. Thank you for your attention to this, and I will stand for any questions.



*Draft 3/25/25*

## **Written Testimony of J. Patrick Traynor**

### **The Battle for our Attention**

My name is Pat Traynor and I am the Executive Director of the Dakota Medical Foundation. We are a foundation that serves ND & northwest MN whose mission seeks to build the healthiest, most generous region on the planet. With our roots embedded in healthcare dating back to 1962, we are committed to doing everything in our power to improve the health of our state's citizens.

With that as background, I applaud the efforts of those who are looking to limit or ban smartphone use in the schools. This is a very important policy dialogue that will profoundly improve the future of our state's school-aged children for decades to come.

Today, I have prepared testimony outlining why our organization believes that limiting screen use in the schools is absolutely necessary for the healthy development of our children. I was invited to testify by bill sponsors to provide background about our organization's efforts in this area and why we're encouraging others to get involved.

#### **Current US Legislative Initiatives to Ban Smartphones at School**

According to the Associated Press, as of 1/16/2025:

- Nine states have a statewide ban/restriction in place.
- 14 states have formally proposed a ban.
- 7 states have policy recommendations and/or a pilot program in place.
- New York Democratic Gov. Kathy Hochul unveiled her plans to ban smartphones at schools.
- Illinois Democratic Gov. JB Pritzker proposed a statewide ban on cellphones in classrooms.

Additionally, on January 29, 2025, Governor Sarah Huckabee Sanders announced a bill to make every Arkansas school go phone-free from bell to bell.

#### **Local Efforts**

On the first day of the 2023-24 school year, Shanley High School in Fargo, ND, implemented a policy where cell phones need to be shut off during the school day and stored in a locker, car, or backpack. After a full year with the ban in place, administrators are pleased with the results.

"From the first day of school, in the lunchroom, the volume was elevated. It was elevated for the right reasons. They were talking with each other, they weren't just playing games, they weren't just scrolling on their social media feeds, they were talking with each other, they were laughing, they were rehashing discussions in the classroom," said Father Kyle Metzger, the principal of Shanley High School.

## **Why the Push for Legislation is Happening**

### **Danger #1 - Smartphones and Screens are Designed to be Irresistible**

I believe that the reason policymakers, leaders, superintendents, teachers, parents, and other concerned citizens are pursuing these kinds of policies is because it is now widely understood that the makers of these digital devices, apps, and social media platforms have designed their products to be **irresistible**—and this is especially true for children.

In 2023, DMF hosted a statewide summit featuring Stanford University psychiatrist and author of Dopamine Nation, Dr. Anna Lemke, who outlined exactly how digital devices have been engineered to stimulate a dopamine rush with every touch, swipe, and click.

### ***Dopamine Treadmill***

By way of background, dopamine is the brain's ultimate "feel-good" chemical and any time a person receives a rush of dopamine (which is exactly what happens every time someone taps, swipes, or clicks on a digital device), this chemical encourages you to repeat the behavior.

And many believe that this is why American teens now use their devices on average **nine hours per day** (Adults average 7 hours per day). Common Sense Media research tells us that this kind of use translates into children and teens checking their phones hundreds of times each day – with some checking them as many as 500 times per day. About ¾ of teens and half of parents say they feel the need to immediately respond to texts, social media messages, and other notifications.

All this interaction can easily translate into tapping, swiping, and clicking thousands and thousands of times each day. Astonishingly, experts estimate that the typical digital device user will now **scroll more than a mile each day!** And with every interaction comes a dopamine boost—increasing the likelihood that the pattern will continue.

### ***Tech Executives Limit Their Children's Smartphone & Screen Usage***

It is also worth mentioning that a recent high-profile article appearing in the New York Times revealed that "Tim Cook, the C.E.O. of Apple, would not let his nephew join social networks. Bill Gates banned cellphones until his children were teenagers, and Melinda Gates wrote that she wished they had waited even longer. Steve Jobs would not let his young children near iPads." Mark Zuckerberg, Founder of Facebook and CEO of Meta has shared, "I don't generally want my kids to be sitting in front of a TV or a computer for a long period of time."

The parenting priorities of the world's most powerful tech executives should be a wake-up call for the rest of us.

### ***The Largest Companies in the World are Working to Capture our Attention***

While it is hard to imagine the powerful hold that digital devices have on children, it is



important to understand that the six largest companies in the world—Alphabet, Amazon, Apple, Meta, Microsoft, and NVDA (with a collective market cap of some \$16 trillion)—are focused on capturing (and keeping!) 100% of our attention. In fact, these six companies employ more than 2 million people who are working 24/7 to reengineer every aspect of our lives for the purposes of capturing interest, creating followers, selling products, accumulating and selling our behavioral data, dominating attention, and making fortunes.

## **Danger #2 - Excessive Smartphone Use is Linked to Serious Health Problems**

While it cannot be argued that there are positive outcomes that result from the careful use of digital devices as helpful tools, recently emerging evidence indicates that over-reliance on the use of digital devices by children and young adults often leads to both serious physical and psychological issues including anxiety, depression, and self-harm. Other studies demonstrate how smartphone use during the school day can also lead to social isolation, lower self-image, decreased pursuit of healthy activities, poor nutrition, and cyberbullying.

Alarming data/trends:

- Teen anxiety and depression are at record highs and every single indicator of mental health among kids is getting worse.
- According to one study, users who spent more time on social media were more than 5 times more likely to report that they suffered from depression.
- Teens who use screens for more than five hours per day were 20% more likely to have suicidal ideation.
- About half of teens say they're addicted to their mobile devices.
- Over the past decade, there has been a 300% increase in youth admissions to emergency room hospital visits because of self-harm, suicide attempts, and severe mental and emotional distress.
- More than 80% of American adults and children don't meet the guidelines of 30 minutes of physical activity.
- 57% of Americans regularly question their life's purpose and meaning.
- A socially underdeveloped childhood caused by digital devices leads, almost inexorably, to a socially stunted adulthood.
- Young people are less likely than in previous decades to get their driver's license, to go on a date, to have more than one close friend, or even hang out with their friends at all.
- The share of boys and girls who say they meet up with their friends almost daily outside school hours has declined by nearly 50 percent with the sharpest downturn beginning in the 2010s.

### ***North Dakota Data***

It is interesting to note that since the introduction of cell phones in 2007, the rates of adolescent mental health consequences have skyrocketed. And this is true in North Dakota as well.

According to the 2023 North Dakota Youth Risk Behavior Survey, 35% of our high school-aged students felt sad or hopeless almost every day for more than two weeks in a row so that they stopped doing some of their usual activities. Even more concerning is the fact that 17.5% of our high-school aged children seriously considered attempting suicide and 15+% actually put a plan in place as to how they would do it.

This data is confirmed by the fact that a recent Dakota Medical Foundation survey uncovered that one of the greatest concerns among many of the state's mental health providers is the excessive use of smartphones among children.

### ***Emergence of Digital Addiction Treatment Centers***

The first digital addiction treatment center was introduced in the US in 2013.

Today, there are hundreds and hundreds of such centers across the US. Many focus on "wilderness therapy." Many of these programs are within existing substance abuse/addiction treatment centers. These programs treat internet addictions such video gaming, gambling, pornography, sexting, and social media which is often to escape symptoms of mental illnesses such as depression and anxiety. We need to reflect as a society when we feel safer having our kids in the middle of nowhere than we do having them at home or in school?

### ***Danger #3 – Academic Performance Suffers when Smartphones are Used in School***

Recent results of a meta-analysis of cell phone use and academic performance among young people revealed that the greater the use of a phone while learning and studying, the greater the negative impact on learning and academic achievement.

For example, one study found that "students who were not using their mobile phones wrote down 62% more information in their notes, took more detailed notes, were able to recall more detailed information from the lecture, and scored a full letter grade and a half higher on a multiple-choice test than those students who were actively using their mobile phones."

According to many studies, banning cell phones in school settings also produces a whole host of other benefits:

- Improves teacher-student relationships
- Reduces the distraction factor
- Promotes face-to-face interaction

- Teaches responsibility and self-control
- Reduces cheating
- Reduces cyberbullying
- Encourages physical activity

#### **Danger #4 – Excessive Smartphone Use Leads to a Distracted Mind** ***Smartphone Ban Encourages our Children to Think for Themselves***

The future of our children relies on their ability to not only think, but to think deeply; to be able to concentrate for long periods of time so that they can analyze information in order to form well-reasoned conclusions.

So important is this skill that it will determine not only the quality of our children's lives but their integrity, their character, their personal growth, their self-awareness, their creativity, their innovation, their resilience, and their freedom in that they won't blindly accept what some algorithm feeds them. Whatever information you put in your head, determines your thoughts. Your thoughts determine your actions. Your actions determine your habits. Your habits determine your life.

A great education is the one thing that no one can take away from our children. We owe it to them to give them their best chance to develop their human potential.

#### ***Is Simply Turning Off Their Phones a Sound Alternative?***

In study after study, researchers randomly assign some students to turn off their phones and put them face down on a desk, and others to leave their phones outside of the room. The mere presence of phones (even turned off, face down) resulted in lower performance on attention tests.

#### **Common Objections to Banning Smartphones in Schools**

There are still those who will resist the positive step of eliminating cell phones from the school environment. According to a study, 61% of parents agree they would support banning them, there are still others that would resist this through leveling two major objections:

#### ***Objection #1: My child needs their phone in case of a crisis or lockdown at the school.***

School security experts quoted in a Washington Post interview on 6/1/2022 report phones can make children *less safe* in a crisis situation:

1. Using phones in an emergency situation can distract children from following the directions of their teachers.
2. The sound of the phone, whether ringing or on vibrate, could alert an assailant to a hiding place.



3. The shooter could be monitoring the event themselves on social media and find more victims or elude capture that way.
4. Victims and worried family members trying to get through can jam communications, interfering with first responders.

***Objection #2: If students have their phones at school, then teachers can teach them how to use phones/social media responsibly.***

The best brain science research and expert psychiatrists tell us the adolescent brain is not able to manage the addictive pull of portable devices and social media products.

**The Summary**

I believe that banning smartphones during the school day is a move that will give our children their best opportunity to succeed.

In fact, I believe this so strongly that our Foundation has made a substantial long-term commitment to addressing excessive digital device use among all sectors of our state's population.

We recently created and launched a new curriculum, Leading with LIGHT, where one of the pillars deals with Honoring Health: Body, Mind, and Spirit. One of our first sessions targeted how to assess our current smartphone and screen usage patterns and if excessive, ways to carefully unplug and detox. Through these trainings—which will continue for years to come—we are preparing our leaders to create environments where those around them will have more opportunities for deeper thinking and meaningful human interaction rather than isolation and the other negative health effects associated with excessive screen use. We'd like to invite you to "Battle for our Attention" training held on May 7<sup>th</sup> from 9 – 11 a.m. at Dakota Medical Foundation. The training will zero in on what we can do as leaders to overcome the daily distractions of digital devices.

Also in May, we are launching a training for youth pastors statewide. During these trainings we will provide critical resources for our clergy so that they will be better equipped to create the conditions for youth to develop healthy relationships with digital devices and each other.

We are also making investments in parent education by partnering with childcare providers to create and offer a model curriculum for parents to navigate the difficult issues associated with child development and phone and screen usage.

Today, we know that our youth are spending nine plus hours a day on digital devices. This means that the typical North Dakota child will spend 136 days a year (106 days for adults) interacting with a digital device—much of it mindlessly scrolling.

In closing, there is no doubt in my mind that we are standing at the crossroads. As leaders, parents, teachers, administrators, clergy, policymakers, and concerned citizens, I believe that we have a better future in mind for our kids.

Thank you!

# Healthy Tech Assessment



	Always	Often	Sometimes	Rarely	Never
1. I carry a digital device with me everywhere I go.	5	4	3	2	1
2. My digital device is turned on.	5	4	3	2	1
3. I use my digital device(s) for three+ hours a day	5	4	3	2	1
4. I look at my digital device within 10 minutes of waking up.	5	4	3	2	1
5. I check my digital device frequently throughout the day.	5	4	3	2	1
6. I look at my digital device in the bedroom before going to sleep.	5	4	3	2	1
7. I look at my digital device when I am with people I care about. (e.g., kids, co-workers, etc.)	5	4	3	2	1
8. I look at my digital device in social situations (e.g., restaurants, movies, church, etc.)	5	4	3	2	1
9. I spend 30+ minutes on social media per day.	5	4	3	2	1
10. I like to stream music, podcasts, or other content while I'm working.	5	4	3	2	1
11. I play games on my digital devices.	5	4	3	2	1
12. I use my digital device while driving (texting, emailing, talking, etc.)	5	4	3	2	1
13. Digital devices cause pain in my hands, wrists, neck, back, eyes, or head.	5	4	3	2	1
14. After spending a lot of time on my digital device(s), I feel empty.	5	4	3	2	1

=  +  +  +  +

# Healthy Tech Assessment



Enter Assessment  
Score Here



# 2025 HOUSE STANDING COMMITTEE MINUTES

## Education Committee Coteau AB Room, State Capitol

SB 2354  
3/26/2025

Relating to school district personal electronic device policies.
--

3:20 p.m. Chairman Heinert opened the hearing.

Members Present: Chairman Heinert, Vice Chairman Schreiber- Beck, Representatives, Conmy, Hager, Hatlestad, Hauck, Heilman, Longmuir, Maki, Marchall, Morton, Novak, Osowski

Members Absent: Representative Jonas

### Discussion Topics:

- Private school cell phone use
- Career and Technical Education centers

3:21 p.m. Representative Morton moved to Amend LC: 25.1182.04001, testimony #44133 (submitted during the March 26, 2025, 9:00 a.m. meeting).

3:21 p.m. Representative Novak seconded the motion.

Representatives	Vote
Representative Pat D. Heinert	Y
Representative Cynthia Schreiber-Beck	Y
Representative Liz Conmy	Y
Representative LaurieBeth Hager	Y
Representative Patrick R. Hatlestad	Y
Representative Dori Hauck	Y
Representative Matthew Heilman	Y
Representative Jim Jonas	A
Representative Donald W. Longmuir	Y
Representative Roger A. Maki	Y
Representative Andrew Marschall	Y
Representative Desiree Morton	Y
Representative Anna S. Novak	Y
Representative Doug Osowski	Y

3:23 p.m. Motion passed 13-0-1

3:24 p.m. Representative Hager moved to Amend and include private schools within the bill.

3:24 p.m. Representative Novak seconded the motion.



<b>Representatives</b>	<b>Vote</b>
Representative Pat D. Heinert	Y
Representative Cynthia Schreiber-Beck	Y
Representative Liz Conmy	Y
Representative LaurieBeth Hager	Y
Representative Patrick R. Hatlestad	Y
Representative Dori Hauck	N
Representative Matthew Heilman	N
Representative Jim Jonas	A
Representative Donald W. Longmuir	Y
Representative Roger A. Maki	N
Representative Andrew Marschall	N
Representative Desiree Morton	N
Representative Anna S. Novak	Y
Representative Doug Osowski	N

3:29 p.m. Motion Passed 7-6-1

3:55 p.m. Chairman Heinert adjourned the meeting.

*Wyatt Armstrong for Leah Kuball, Committee Clerk*

*Further amended on April 1, 2025*

# 2025 HOUSE STANDING COMMITTEE MINUTES

## **Education Committee** Coteau AB Room, State Capitol

SB 2354  
4/1/2025

Relating to school district personal electronic device policies.
--

10:37 a.m. Chairman Heinert called the hearing to order.

Members Present: Chairman Heinert, Vice Chairman Schreiber- Beck, Representatives, Conmy, Hager, Hatlestad, Hauck, Heilman, Jonas, Longmuir, Maki, Marchall, Morton, Novak, Osowski

### **Discussion Topics:**

- Phone Lock Boxes

10:37 a.m. Amy De Kok, Executive Director, ND School Boards Association, NDSBA, answered questions for the committee.

11:17 a.m. Chairman Heinert adjourned the meeting.

*Leah Kuball, Committee Clerk*



# 2025 HOUSE STANDING COMMITTEE MINUTES

## Education Committee Coteau AB Room, State Capitol

SB 2354  
4/1/2025

Relating to school district personal electronic device policies.
--

2:30 p.m. Chairman Heinert called the meeting to order.

Members Present: Chairman Heinert, Vice Chairman Schreiber- Beck, Representatives, Conmy, Hager, Hatlestad, Hauck, Heilman, Jonas, Longmuir, Maki, Marchall, Morton, Novak, Osowski

### Discussion Topics:

- Committee action

2:33 p.m. Vice Chair Schreiber- Beck proposed adopting amendment 25.0641.02003. #44519

2:34 p.m. Representative Novak seconded the motion.

2:35 p.m. Vice Chair Schreiber- Beck rescinded her motion.

2:36 p.m. Representative Novak proposed adopting an amendment 25.1182.04001. #44133 (Submitted from previous meeting)

2:36 p.m. Representative Jonas seconded the motion.

Representatives	Vote
Representative Pat D. Heinert	Y
Representative Cynthia Schreiber-Beck	Y
Representative Liz Conmy	Y
Representative LaurieBeth Hager	Y
Representative Patrick R. Hatlestad	Y
Representative Dori Hauck	Y
Representative Matthew Heilman	Y
Representative Jim Jonas	Y
Representative Donald W. Longmuir	Y
Representative Roger A. Maki	Y
Representative Andrew Marschall	Y
Representative Desiree Morton	Y
Representative Anna S. Novak	Y
Representative Doug Osowski	Y

Motion carried- 14-0-0

2:37 p.m. Vice Chair Schreiber- Beck proposed adopting amendment 25.0641.02003.  
#44519

2:37 p.m. Representative Novak seconded the motion.

<b>Representatives</b>	<b>Vote</b>
Representative Pat D. Heinert	Y
Representative Cynthia Schreiber-Beck	Y
Representative Liz Conmy	Y
Representative LaurieBeth Hager	Y
Representative Patrick R. Hatlestad	Y
Representative Dori Hauck	Y
Representative Matthew Heilman	Y
Representative Jim Jonas	Y
Representative Donald W. Longmuir	Y
Representative Roger A. Maki	Y
Representative Andrew Marschall	Y
Representative Desiree Morton	Y
Representative Anna S. Novak	Y
Representative Doug Osowski	Y

Motion carried: 14-0-0

2:38 p.m. Vice Chair Schreiber- Beck seconded the motion.

2:39 p.m. Representative Jonas seconded the motion.

<b>Representatives</b>	<b>Vote</b>
Representative Pat D. Heinert	Y
Representative Cynthia Schreiber-Beck	Y
Representative Liz Conmy	Y
Representative LaurieBeth Hager	Y
Representative Patrick R. Hatlestad	Y
Representative Dori Hauck	Y
Representative Matthew Heilman	N
Representative Jim Jonas	Y
Representative Donald W. Longmuir	Y
Representative Roger A. Maki	Y
Representative Andrew Marschall	Y
Representative Desiree Morton	Y
Representative Anna S. Novak	Y
Representative Doug Osowski	Y

Motion carried: 13-1-0

Bill carrier: Representative Novak

2:40 p.m. Chairman Heinert closed the hearing.

House Education Committee

SB 2354

04-01-25

Page 3

*Leah Kuball, Committee Clerk*

April 1, 2025

Sixty-ninth  
Legislative Assembly  
of North Dakota

**PROPOSED AMENDMENTS TO  
SECOND ENGROSSMENT**

**REENGROSSED SENATE BILL NO. 2354**

Introduced by

Senators Axtman, Cleary, Sickler, Thomas

Representatives Bosch, O'Brien

VC 4/1/25  
1 of 4

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.~~ for an Act to create  
3 and enact a new section to chapter 15.1-07 of the North Dakota Century Code, relating to the  
4 use of personal electronic devices in schools which provide prekindergarten, elementary, or  
5 secondary education.

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

7 ~~SECTION 1. A new section to chapter 15.1-07 of the North Dakota Century Code is created~~  
8 ~~and enacted as follows:~~

9 ~~Personal electronic device policy.~~

10 ~~1. As used in this section, "personal electronic device" means a portable wireless device~~  
11 ~~with the capability to provide voice, messaging, or other data communication between~~  
12 ~~two or more parties, including a cell phone, tablet computer, laptop computer, or~~  
13 ~~gaming device.~~

14 ~~2. Before August 1, 2026, a school district in coordination with the board of the school~~  
15 ~~district shall adopt and implement a personal electronic device policy that:~~

- 16 ~~a. Except as provided in subdivisions b and c and subsection 3, minimizes or~~  
17 ~~prohibits a student from using a personal electronic device during school hours;~~  
18 ~~b. Authorizes a teacher to allow a student to use a personal electronic device for~~  
19 ~~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 **SECTION 1.** A new section to chapter 15.1-07 of the North Dakota Century Code is created  
23 and enacted as follows:

24 **Personal electronic devices - Prohibition during instructional time.**

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

- 26 **a. "Instructional time" means the time from the start of the school day until dismissal**
- 27 **at the end of the school day on school premises, for which the signal may be the**
- 28 **ringing of a bell, including a structured or unstructured learning experience,**
- 29 **recess, lunch period, and time in between classes. The term does not include**
- 30 **private student travel time to and from an area career and technology center or**



- 1           other off-site learning experience, or instructional time occurring in virtual
- 2           environments off school premises.
- 3           b.   "Parent" means a parent or guardian of a student who is authorized to make
- 4           decisions regarding education for the student.
- 5           c.   "Personal electronic communication device" means a portable electronic device
- 6           capable of communication by voice, text, or other data with one or more other
- 7           parties or devices, or capable of connection to a smartphone, the internet, or a
- 8           cellular or wireless fidelity network, including a smartphone, cellular phone,
- 9           bluetooth-enabled device, tablet, smartwatch or other wearable device, and
- 10          gaming device. The term does not include:
- 11          (1)   School-owned devices provided to and school approved devices used by a
- 12          student in accordance with this section.
- 13          (2)   Portable devices that meet the definition of a medical device under the
- 14          federal Food, Drug and Cosmetic Act [21 U.S.C. 9 et seq.].
- 15          d.   "School" means a public school or non-public school providing prekindergarten,
- 16          elementary, or secondary education including area career and technology
- 17          centers. The term does not include virtual schools, virtual instruction, the North
- 18          Dakota Center for Distance Education, or education occurring in a home school
- 19          environment.
- 20          e.   "School-related activity" means a school sanctioned activity, event, or function,
- 21          occurring outside of instructional time, at which students are under supervision of
- 22          the school, whether on or off school premises, including a bus ride, field trip,
- 23          sporting event, and school dance.
- 24          f.   "Student" means an individual currently enrolled or registered at a school as
- 25          defined under subdivision d of this section.
- 26          2.   Each school district or applicable governing body shall adopt and implement a policy
- 27          for schools which:
- 28          a.   Requires all personal electronic communication devices be silenced or be turned
- 29          off, securely stowed away, and inaccessible to students during instructional time;



- b. Provides schools may limit or allow student access to personal electronic communication devices outside of instructional time, during a school-related activity;
      - c. Includes enforcement provisions to ensure strict compliance with the policy by students and school employees; and
      - d. Provides a student may contact the student's parent or authorized caregiver during the school day if needed by using a school telephone made available to the student in a manner and location designated by the school.
    3. Notwithstanding subsection 2, a school may not prohibit a student from possessing or using a personal electronic communication device, if:
      - (1) A medical provider licensed under Title 43 determines the possession or use of a personal electronic communication device is necessary for the health or well-being of the student; or
      - (2) The possession or use of a personal electronic communication device is required by the student's individual education program under:
        - (a) The Individuals with Disabilities Act [20 U.S.C. 1400];
        - (b) Section 504 of the federal Rehabilitation Act of 1973 [29 U.S.C. 794];
        - or
        - (c) A plan developed in accordance with state or federal law requiring accommodation.
  4. A school district shall collect data annually to determine the impact of its policy on student behavior, mental health, disciplinary incidents, school attendance, and academic performance. By July 1, 2026, the superintendent of public instruction shall establish a uniform system for reporting data collected under this section by school districts.
  5. Upon the adoption and implementation of a policy in accordance with this section, a school district shall:
    - a. Ensure the policy is communicated to students, parents, and authorized caregivers; and
    - b. Publish the policy in student and personnel handbooks.



**REPORT OF STANDING COMMITTEE  
REENGROSSED SB 2354**

**Education Committee (Rep. Heinert, Chairman)** recommends **AMENDMENTS** ([25.1182.04002](#)) and when so amended, recommends **DO PASS** (13 YEAS, 1 NAY, 0 ABSENT OR EXCUSED AND NOT VOTING). Reengrossed SB 2354 was placed on the Sixth order on the calendar.

25.0641.02003  
Title.

Prepared by the Legislative Council  
staff for Representative Jonas  
March 26, 2025

Sixty-ninth  
Legislative Assembly  
of North Dakota

## PROPOSED AMENDMENTS TO FIRST ENGROSSMENT

### ENGROSSED HOUSE BILL NO.1160

Introduced by

Representatives Jonas, Longmuir, Nelson, Sanford

4 A BILL ~~for an Act to create and enact a new section to chapter 16.1-06 of the North Dakota~~  
2 ~~Century Code, relating to policies for student cellular telephone use.~~ for an Act to create and  
3 enact a new section to chapter 15.1-07 of the North Dakota Century Code, relating to the use of  
4 personal electronic devices during instructional time.

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

6 ~~SECTION 1. A new section to chapter 16.1-06 of the North Dakota Century Code is created~~  
7 ~~and enacted as follows:~~

8 ~~Cellular telephone usage policy.~~

9 ~~1. As used in this section:~~

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

14 ~~b. "Instructional time" means the time when a student is attending class or an~~  
15 ~~educational activity.~~

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

- 1        2. A board of a school district shall adopt a policy governing the use of cellular  
2        telephones during instructional and noninstructional time.
- 3        3. A policy:
- 4        a. May include time and location restrictions for cellular telephone usage, limitations  
5        regarding disruptions, proper instructional use, acceptable and unacceptable use  
6        of cellular telephones for students and staff, and disciplinary actions for student  
7        noncompliance.
- 8        b. Must include exceptions for:
- 9        iii Medical accommodations. An individual may use a cellular telephone or  
10       other technological device, if required for accommodations based on a  
11       disability or management of a medical condition, including continuous  
12       glucose monitoring or seizure alerts. The individual shall provide to the  
13       school administrator relevant documentation from a licensed health care  
14       provider.
- 15       g) Educational accommodations. A student with an individual education  
16       program, individual learning plan, a plan under section 504 of the  
17       Rehabilitation Act of 1973 [29 U.S.C. 794], or other plan under the law must  
18       be accommodated according to the plan.
- 19       @) Emergency situations affecting the health, safety, or well being of a student  
20       or staff member.

21        **SECTION 1.** A new section to chapter 15.1-07 of the North Dakota Century Code is created  
22        and enacted as follows:

23        **Personal electronic devices - Prohibition during instructional time.**

24        1. As used in this section:

- 25        a. "Instructional time" means the time from the start of the school day until dismissal  
26        at the end of the school day on school premises for which the signal may be the  
      ringing of a bell, including a structured or unstructured learning experience, recess,  
      a lunch period, and time in between classes, and a field trip. The term does not  
      include private student travel time to and from an area career and technology center  
      or other off-site learning experience, or instructional time occurring in virtual  
      environments off school premises.
- 27        b. "Parent" means a parent or guardian of a student who is authorized to make  
28        decisions regarding education for the student.

c. "Personal electronic communication device" means a portable electronic device capable of communication by voice, text, or other data with one or more other parties or devices, or capable of connection to a smartphone, the internet, or a cellular or wireless fidelity network, including a smartphone, cell phone, bluetooth-enabled device, tablet, smartwatch or other wearable device, and gaming device. The term does not include:

(1) School-owned devices provided to and school-approved devices used by a student in accordance with this section.

(2) Portable devices that meet the definition of a medical device under the federal Food, Drug and Cosmetic Act [21 U.S.C. 9 et seq.].

d. "School" means a public school, education center, charter school, or training program, providing prekindergarten, elementary, or secondary education, including area career and technology centers. The term does not include virtual schools, virtual instruction, the North Dakota Center for Distance Education, or education occurring in a home-school environment.

e. "School-related activity" means a school sanctioned activity, event, or function occurring outside of instructional time, at which students are under supervision of the school, whether on or off school premises, including a bus ride, field trip, sporting event, and school dance.

f. "Student" means an individual currently enrolled or registered at a school.

2. Each school district or applicable governing body shall adopt and implement a policy for schools which:

a. Requires all personal electronic communication devices be silenced or be turned off securely locked away, and inaccessible to students during instructional time;

b. Ensures students do not have access to personal electronic communication Devices, by requiring the devices to be locked or stowed away in a secure lockable pouch, phone locker, pencil pouch, manila envelope, or other inaccessible location:

c. Provides schools may limit or allow student access to personal electronic communication devices outside of instructional time, during a school-related activity:

d. Includes enforcement provisions to ensure strict compliance with the policy by students and school employees: and

e. Provides a student may contact the student's parent or authorized caregiver during the school day if needed by using a school telephone made available to the student in a manner and location designated by the school.

- 1 ~~3. Notwithstanding subsection 2, a school may not prohibit a student from possessing or~~  
2 ~~using a personal electronic communication device. if:~~  
3 ~~A licensed medical provider licensed in accordance with Title 43 of the North Dakota~~  
4 ~~Century Code determines the possession or use of a personal~~  
5 ~~electronic communication device is necessary for the health or well-being of the~~  
6 ~~student: or~~  
7 ~~b. The possession or use of a personal electronic communication device is required~~  
8 ~~by the student's individual education program under the Individuals with Disabilities~~  
9 ~~Education Act [20 U.S.C. 1400, et seq.], or plan under section 504 of the~~  
10 ~~federal Rehabilitation Act of 1973 [29 U.S.C. 794], or other plan that must be~~  
~~accommodated in accordance with federal or state law.~~
4. A school district shall collect data annually ~~to measure~~ with the goal of measuring the  
impact of its policy on student behavior, mental health, disciplinary incidents, school  
attendance, and academic performance. By July 1, 2026, the superintendent of public  
instruction shall establish a uniform system for the reporting of this data by school districts.

**2025 CONFERENCE COMMITTEE**

**SB 2354**



# 2025 SENATE STANDING COMMITTEE MINUTES

**Education Committee**  
Room JW216, State Capitol

SB 2354  
4/17/2025  
Conference Committee

Relating to school district wireless communication device policies.
---

9:30 a.m. Chair Axtman called the hearing to order.

Members Present: Chair Axtman; Senators: Wobbema and Lemm; Chairman Jonas;  
Representatives: Novak and Osowski

## **Discussion Topics:**

- Instructional time clarification
- Line 3 add "a student"
- Strike subsection "b"
- Check annually if plan is working

9:30 a.m. Chair Axtman opened the hearing up for discussion on the changes made on the House side.

9:40 a.m. Representative Jonas clarified changes that were made on the House side.

9:46 a.m. Amy De Kok, Executive Director School Boards Association, answered questions from the committee.

9:51 a.m. Senator Wobbema moved Amendment LC #25.1182.04003.

9:51 a.m. Representative Jonas seconded the motion.

9:52 a.m. Roll call vote - motion carried 6-0-0.

9:54 a.m. Chair Axtman closed the hearing

*Susan Helbling, Committee Clerk*

April 17, 2025

Sixty-ninth  
Legislative Assembly  
of North Dakota

**PROPOSED AMENDMENTS TO  
SECOND ENGROSSMENT**

4/17/25 VC  
1-24

**REENGROSSED SENATE BILL NO. 2354**

Introduced by

Senators Axtman, Cleary, Sickler, Thomas

Representatives Bosch, O'Brien

*In place of amendment (25.1182.04002) adopted by the House, Reengrossed Senate Bill No. 2354 is amended by amendment (25.1182.04003) as follows:*

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.~~for an Act to create  
3 and enact a new section to chapter 15.1-07 of the North Dakota Century Code, relating to the  
4 use of personal electronic devices in schools which provide prekindergarten, elementary, or  
5 secondary education.

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

7 ~~SECTION 1. A new section to chapter 15.1-07 of the North Dakota Century Code is created~~  
8 ~~and enacted as follows:~~  
9 ~~Personal electronic device policy.~~  
10 ~~1. As used in this section, "personal electronic device" means a portable wireless device~~  
11 ~~with the capability to provide voice, messaging, or other data communication between~~  
12 ~~two or more parties, including a cell phone, tablet computer, laptop computer, or~~  
13 ~~gaming device.~~  
14 ~~2. Before August 1, 2026, a school district in coordination with the board of the school~~  
15 ~~district shall adopt and implement a personal electronic device policy that:~~  
16 ~~a. Except as provided in subdivisions b and c and subsection 3, minimizes or~~  
17 ~~prohibits a student from using a personal electronic device during school hours;~~  
18 ~~b. Authorizes a teacher to allow a student to use a personal electronic device for~~  
19 ~~educational purposes during instructional time;~~

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

**SECTION 1.** A new section to chapter 15.1-07 of the North Dakota Century Code is created and enacted as follows:

**Personal electronic devices - Prohibition during instructional time.**

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

- a. "Instructional time" means the time from the start of the school day until dismissal at the end of the school day on school premises, for which the signal may be the ringing of a bell, including a structured or unstructured learning experience, recess, lunch period, and time in between classes. The term does not include private student travel time to and from an area career and technology center or**



other offsite learning experience, or instructional time occurring in virtual environments off school premises.

b. "Parent" means a parent or guardian of a student who is authorized to make decisions regarding education for the student.

c. "Personal electronic communication device" means a portable electronic device capable of communication by voice, text, or other data with one or more other parties or devices, or capable of connection to a smartphone, the internet, or a cellular or wireless fidelity network, including a smartphone, cell phone, bluetooth-enabled device, tablet, smartwatch or other wearable device, and gaming device. The term does not include:

(1) School-owned devices provided to a student and school approved devices used by a student in accordance with this section.

(2) Portable devices that meet the definition of a medical device under the federal Food, Drug and Cosmetic Act [21 U.S.C. 9 et seq.].

d. "School" means a public school or nonpublic school providing prekindergarten, elementary, or secondary education including area career and technology centers. The term does not include virtual schools, virtual instruction, the North Dakota center for distance education, or education occurring in a home school environment.

e. "School-related activity" means a school sanctioned activity, event, or function, occurring outside of instructional time, at which students are under supervision of the school, whether on or off school premises, including a bus ride, field trip, sporting event, and school dance.

f. "Student" means an individual currently enrolled or registered at a school as defined under subdivision d of this section.

2. Each school district or applicable governing body shall adopt and implement a policy for schools which:

a. Requires all personal electronic communication devices be silenced or be turned off, securely stowed away, and inaccessible to students during instructional time;



- 1        b. Provides schools may limit or allow student access to personal electronic
- 2        communication devices outside of instructional time, during a school-related
- 3        activity;
- 4        c. Includes enforcement provisions to ensure strict compliance with the policy by
- 5        students and school employees; and
- 6        d. Provides a student may contact the student's parent or authorized caregiver
- 7        during the school day if needed by using a school telephone made available to
- 8        the student in a manner and location designated by the school.
- 9        3. Notwithstanding subsection 2, a school may not prohibit a student from possessing or
- 10       using a personal electronic communication device, if:
- 11       a. A medical provider licensed under title 43 determines the possession or use of a
- 12       personal electronic communication device is necessary for the health or well-
- 13       being of the student; or
- 14       b. The possession or use of a personal electronic communication device is required
- 15       by the student's individual education program under:
- 16       (1) The Individuals with Disabilities Act [20 U.S.C. 1400];
- 17       (2) Section 504 of the federal Rehabilitation Act of 1973 [29 U.S.C. 794]; or
- 18       (3) A plan developed in accordance with state or federal law requiring
- 19       accommodation.
- 20       4. A school district shall collect data annually with the goal of measuring the impact of its
- 21       policy on student behavior, mental health, disciplinary incidents, school attendance,
- 22       and academic performance.
- 23       5. Upon the adoption and implementation of a policy in accordance with this section, a
- 24       school district shall:
- 25       a. Ensure the policy is communicated to students, parents, and authorized
- 26       caregivers; and
- 27       b. Publish the policy in student and personnel handbooks.



## SB 2354 041725 0953 AM Roll Call Vote

### Amendment

**SB 2354**

**Date Submitted:** April 17, 2025, 9:53 a.m.

**Action:** Passed

**Amendment LC #:** Pending LC #

**Description of Amendment:** Line 3 add "student" ; Add in section "b" from SB 1160 and then strike out

**Motioned By:** Wobbema, Mike

**Seconded By:** Jonas, Jim

**Emergency Clause:** None

**Vote Results:** 6 - 0 - 0

Sen. Axtman, Michelle	Yea
Sen. Wobbema, Mike	Yea
Sen. Lemm, Randy D.	Yea
Rep. Jonas, Jim	Yea
Rep. Novak, Anna S.	Yea
Rep. Osowski, Doug	Yea

# 2025 SENATE STANDING COMMITTEE MINUTES

**Education Committee**  
Room JW216, State Capitol

SB 2354  
4/21/2025  
Conference Committee

Relating to school district wireless communication device policies.
---

9:30 a.m. Chair Axtman called the hearing to order.

Members Present: Chair Axtman; Senators: Wobbema and Lemm; Chairman Jonas;  
Representatives: Novak and Osowski

**Discussion Topics:**

- Waiting for bill HB 1160

9:30 a.m. Chair Axtman opened the hearing up for discussion on amendment LC #25.1182.04003.

9:30 a.m. Chair Axtman suggested waiting for the Governor to sign bill HB 1160 before they vote on this bill.

9:33 a.m. Chair Axtman closed the hearing

*Susan Helbling, Committee Clerk*

# 2025 SENATE STANDING COMMITTEE MINUTES

**Education Committee**  
Room JW216, State Capitol

SB 2354  
4/28/2025  
Conference Committee

Relating to school district wireless communication device policies.
---

9:12 a.m. Chair Axtman called the hearing to order.

Members Present: Chair Axtman; Senators: Wobbema and Lemm; Chairman Jonas;  
Representatives: Novak and Osowski

## **Discussion Topics:**

- Remove non-public schools
- Supersedes HB 1160

9:13 a.m. Chair Axtman opened the hearing up for discussion on amendment LC #25.1182.04003 previously voted on 4/17/2025.

9:32 a.m. Senator Wobbema moved Amendment LC #25.1182.04004.

9:32 a.m. Senator Lemm seconded the motion.

9:32 a.m. Roll call vote - motion carried 6-0-0.

9:33 a.m. Representative Jonas moved in place of House Amendment LC #25.1182.04002 adopted by the House, the bill is amended by the conference committee amendment LC #25.1182.04004.

9:33 a.m. Senator Wobbema seconded the motion.

9:33 a.m. Roll call vote - motion carried 5-1-0.

9:34 a.m. Senator Wobbema will be the Senate bill carrier.

9:34 a.m. Representative Jonas will be the House bill carrier.

9:36 a.m. Chair Axtman closed the hearing.

*Susan Helbling, Committee Clerk*

April 28, 2025

87 1/5

Sixty-ninth  
Legislative Assembly  
of North Dakota

**PROPOSED AMENDMENTS TO  
SECOND ENGROSSMENT**

**REENGROSSED SENATE BILL NO. 2354**

Introduced by

Senators Axtman, Cleary, Sickler, Thomas

Representatives Bosch, O'Brien

*In place of amendment (25.1182.04002) adopted by the House, Reengrossed Senate Bill No. 2354 is amended by amendment (25.1182.04004) as follows:*

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.~~for an Act to amend  
3 and reenact the new section to chapter 15.1-07 of the North Dakota Century Code as created  
4 by House Bill No. 1160, as approved by the sixty-ninth legislative assembly, relating to the use  
5 of personal electronic devices in schools providing prekindergarten, elementary, or secondary  
6 education.

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

8 ~~SECTION 1. A new section to chapter 15.1-07 of the North Dakota Century Code is created~~  
9 ~~and enacted as follows:~~

10 ~~Personal electronic device policy.~~

11 ~~1. As used in this section, "personal electronic device" means a portable wireless device~~  
12 ~~with the capability to provide voice, messaging, or other data communication between~~  
13 ~~two or more parties, including a cell phone, tablet computer, laptop computer, or~~  
14 ~~gaming device.~~

15 ~~2. Before August 1, 2026, a school district in coordination with the board of the school~~  
16 ~~district shall adopt and implement a personal electronic device policy that:~~

17 ~~a. Except as provided in subdivisions b and c and subsection 3, minimizes or~~  
18 ~~prohibits a student from using a personal electronic device during school hours;~~

19 ~~b. Authorizes a teacher to allow a student to use a personal electronic device for~~  
20 ~~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 **SECTION 1.** The new section to chapter 15.1-07 of the North Dakota Century Code as  
23 created by House Bill No. 1160, as approved by the sixty-ninth legislative assembly, is amended  
24 and reenacted as follows:

25 **Personal electronic devices - Prohibition during instructional time.**

26 1. As used in this section:

- 27 a. "Instructional time" means the time from the start of the school day until dismissal  
28 at the end of the school day on school premises, for which the signal may be the  
29 ringing of a bell, including a structured or unstructured learning experience,  
30 recess, a lunch period, and time in between classes. The term does not include  
31 private student travel time to and from an area career and technology center or



- 1 other offsite learning experience or instructional time occurring in virtual  
2 environments off school premises.
- 3 b. "Parent" means a parent or guardian of a student who is authorized to make  
4 decisions regarding education for the student.
- 5 c. "Personal electronic communication device" means a portable electronic device  
6 capable of communication by voice, text, or other data with one or more other  
7 parties or devices, or capable of connection to a smartphone, the internet, or a  
8 cellular or wireless fidelity network, including a smartphone, cell phone,  
9 bluetooth-enabled device, tablet, smartwatch or other wearable device, and  
10 gaming device. The term does not include:
- 11 (1) School-owned devices provided to a student and school-approved devices  
12 used by a student in accordance with this section.
- 13 (2) Portable devices that meet the definition of a medical device under the  
14 federal Food, Drug and Cosmetic Act [21 U.S.C. 9 et seq.].
- 15 d. "School" means a public school providing prekindergarten, elementary, or  
16 secondary education, including area career and technology centers. The term  
17 does not include virtual schools, virtual instruction, the North Dakota center for  
18 distance education, or education occurring in a home-school environment.
- 19 e. "School-related activity" means a school sanctioned activity, event, or function,  
20 occurring outside of instructional time, at which students are under supervision of  
21 the school, whether on or off school premises, including a bus ride, field trip,  
22 sporting event, and school dance.
- 23 f. "Student" means an individual currently enrolled or registered at a school as  
24 defined under subdivision d of this section.
- 25 2. Each school district or applicable governing body shall adopt and implement a policy  
26 for schools which:
- 27 a. Requires all personal electronic communication devices be silenced or turned off,  
28 securely ~~locked~~ stowed away, and inaccessible to students during instructional  
29 time;
- 30 b. ~~Ensures students do not have access to personal electronic communication~~  
31 ~~devices, by requiring the devices to be locked or stowed away in a secure~~



1                   lockable pouch, phone locker, pencil pouch, manila envelope, or other  
2                   inaccessible location;

3                   ~~c.~~ Provides schools may limit or allow student access to personal electronic  
4                   communication devices outside of instructional time, during a school-related  
5                   activity;

6                   ~~e.c.~~ Includes enforcement provisions to ensure strict compliance with the policy by  
7                   students and school employees; and

8                   ~~e.d.~~ Provides a student may contact the student's parent or authorized caregiver  
9                   during the school day if needed by using a school telephone made available to  
10                  the student in a manner and location designated by the school.

11                 3. Notwithstanding subsection 2, a school may not prohibit a student from possessing or  
12                 using a personal electronic communication device, if:

13                 a. A medical provider licensed under title 43 determines the possession or use of a  
14                 personal electronic communication device is necessary for the health or well-  
15                 being of the student; or

16                 b. The possession or use of a personal electronic communication device is required  
17                 by the student's individual education program under ~~the~~:

18                 (1) The Individuals with Disabilities Education Act [~~Pub. L. 91-230; 84 Stat. 121;~~  
19                 20 U.S.C. 1400 ~~et seq.~~], ~~a plan under section~~;

20                 (2) Section 504 of the federal Rehabilitation Act of 1973 [29 U.S.C. 794], ~~or~~  
21                 ~~other~~;

22                 (3) A plan ~~that must be accommodated~~ developed in accordance with state or  
23                 federal law requiring accommodation.

24                 4. A school district shall collect data annually with the goal of measuring the impact of its  
25                 policy on student behavior, mental health, disciplinary incidents, school attendance,  
26                 and academic performance. ~~By July 1, 2026, the superintendent of public instruction~~  
27                 ~~shall establish a uniform system to enable a school district to report all data as~~  
28                 ~~required under this section.~~

29                 5. Upon the adoption and implementation of a policy in accordance with this section, a  
30                 school district shall:

- 1        a.    Ensure the policy is communicated to students, parents, and authorized
- 2        caregivers; and
- 3        b.    Publish the policy in student and personnel handbooks.

## SB 2354 042825 0933 AM Roll Call Vote

### Amendment

**SB 2354**

**Date Submitted:** April 28, 2025, 9:33 a.m.

**Action:** Passed

**Amendment LC #:** Pending LC #

**Description of Amendment:** supercedes HB 1160

**Motioned By:** Wobbema, Mike

**Seconded By:** Lemm, Randy D.

**Emergency Clause:** None

**Vote Results:** 6 - 0 - 0

Sen. Axtman, Michelle	Yea
Sen. Wobbema, Mike	Yea
Sen. Lemm, Randy D.	Yea
Rep. Jonas, Jim	Yea
Rep. Novak, Anna S.	Yea
Rep. Osowski, Doug	Yea



## SB 2354 042825 0934 AM Roll Call Vote

### Final Recommendation

**SB 2354**

**Date Submitted:** April 28, 2025, 9:34 a.m.

**Recommendation:** In Place Of

**Amendment LC #:** 25.1182.04004

**Engrossed LC #:** N/A

**Description:**

**Motioned By:** Jonas, Jim

**Seconded By:** Wobbema, Mike

**House Carrier:** Jonas, Jim

**Senate Carrier:** Wobbema, Mike

**Emergency Clause:** None

**Vote Results:** 5 - 1 - 0

Sen. Axtman, Michelle	Yea
Sen. Wobbema, Mike	Yea
Sen. Lemm, Randy D.	Nay
Rep. Jonas, Jim	Yea
Rep. Novak, Anna S.	Yea
Rep. Osowski, Doug	Yea

**REPORT OF CONFERENCE COMMITTEE  
REENGROSSED SB 2354**

Your conference committee (Sens. Axtman, Wobbema, Lemm and Reps. Jonas, Novak, Osowski) recommends that in place of amendment [25.1182.04002](#) adopted by the House, Reengrossed SB 2354 is amended by amendment [25.1182.04004](#).

Reengrossed SB 2354 was placed on the Seventh order of business on the calendar.