

# A-Engrossed House Bill 2251

Ordered by the House April 10  
Including House Amendments dated April 10

Sponsored by Representative WALLAN, Senator REYNOLDS, Representative DOBSON; Representatives BOWMAN, LEVY E, MCINTIRE, NGUYEN H, WRIGHT (Presession filed.)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: Requires school districts to have a policy that does not allow students to use cell phones and similar devices. (Flesch Readability Score: 62.8).

Directs school districts to adopt a policy that prohibits the use of student personal electronic devices.

## A BILL FOR AN ACT

Relating to student use of personal electronic devices; amending ORS 336.840.

**Be It Enacted by the People of the State of Oregon:**

**SECTION 1.** ORS 336.840 is amended to read:

336.840. *[(1) As used in this section, "independent communication" means communication that does not require assistance or interpretation by an individual who is not part of the communication but that may require the use or assistance of an electronic device.]*

*[(2) Each district school board shall adopt policies for the use of personal electronic devices in the schools of the school district as provided by this section.]*

*[(3) A district school board shall adopt a policy for the use of personal electronic devices that support academic activities and independent communications. The policy must provide that:]*

*[(a) Students may be allowed to use personal electronic devices that support academic activities and independent communications.]*

*[(b) Unless otherwise specifically prohibited by the policy, students may not be denied the opportunity to use a personal electronic device that supports academic activities and independent communications.]*

*[(4) If a school district implements a curriculum that uses technology, the district school board shall adopt a policy that provides that:]*

*[(a) Students may be allowed, but are not required, to use their own personal electronic devices for the curriculum.]*

*[(b) Students who use their own personal electronic devices for the curriculum must be granted access to any applications or electronic materials that are available to students who do not use their own personal electronic devices for the curriculum.]*

*[(c) Students who use their own personal electronic devices for the curriculum must be granted access to applications and electronic materials free of charge if the applications and electronic materials are provided free of charge to students who do not use their own personal electronic devices for the*

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

curriculum.]

[(5) A policy adopted under subsection (3) or (4) of this section must include a process and timeline for responding to a student's request related to the use of a personal electronic device, including an appeals process.]

[(6) School districts must ensure that the policies adopted under subsection (3) or (4) of this section are made available to:]

[(a) School district personnel whose duties may require them to assist students with personal electronic devices; and]

[(b) Students and parents or guardians of students.]

[(7) Nothing in the requirements of this section prevents a district school board from prohibiting:]

[(a) Telephonic or electronic communications during regular school hours or during school events if the communications are not related to academic activities or independent communications;]

[(b) Communications using access to social media or to nonacademic sites during regular school hours or during school events;]

[(c) The use of personal electronic devices for any purpose that does not support academic activities or independent communications; or]

[(d) The use of personal electronic devices for entertainment purposes.]

[(8) Nothing in this section authorizes a district school board, or any employees of or volunteers for the school district or a school of the school district, to request, require or compel access to a student's electronic mail or personal online accounts.]

**(1) As used in this section:**

(a) "Personal electronic device" means a portable, electrically powered device that is capable of making and receiving calls and text messages and accessing the Internet independently from the school's network infrastructure.

(b) "Personal electronic device" does not include a laptop computer or other device required to support academic activities.

(2) A district school board shall adopt a policy for the use of personal electronic devices by students.

(3) Except as provided by subsection (4) of this section, a policy adopted under this section must prohibit the use of personal electronic devices by students from the start of regular instructional hours until the end of regular instructional hours, including passing time between classes and time provided for serving and eating meals.

(4) A policy adopted under this section must provide for the use of a personal electronic device by a student when the use complies with the terms of:

(a) The student's medical provider's order for the care and treatment of a medical condition;

(b) The student's individualized education program, as defined in ORS 343.035; or

(c) An education plan developed for the student in accordance with section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794.

(5) The policy must provide consequences for a student's violation of the prohibition against the use of personal electronic devices under this section.

(6) A school district shall ensure that the policy is made available to:

(a) School district personnel; and

(b) Students and parents or guardians of students.

(7) A school district that does not comply with this section is considered nonstandard

1 **under ORS 327.103.**

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