

House Bill 2251

Sponsored by Representative WALLAN, Senator REYNOLDS (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 **as introduced**. 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

1
2 Relating to student use of personal electronic devices; amending ORS 336.840.

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

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

5 336.840. *[(1) As used in this section, "independent communication" means communication that does*
6 *not require assistance or interpretation by an individual who is not part of the communication but that*
7 *may require the use or assistance of an electronic device.]*

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

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

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

14 *[(b) Unless otherwise specifically prohibited by the policy, students may not be denied the oppor-*
15 *tunity to use a personal electronic device that supports academic activities and independent communi-*
16 *cations.]*

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

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

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

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

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

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.

1 **(1) A district school board shall adopt a policy for the use of student personal electronic**
2 **devices.**

3 **(2) Except as provided by subsection (3) of this section, the policy must prohibit the use**
4 **of student personal electronic devices:**

5 **(a) On school grounds;**

6 **(b) At any school-sponsored activity;**

7 **(c) On school-provided transportation; or**

8 **(d) At any official school bus stop.**

9 **(3) A policy adopted under this section must provide for the use of student personal**
10 **electronic devices when the use complies with the terms of an individualized education pro-**
11 **gram, as defined in ORS 343.035, or an education plan developed for a student with a disa-**
12 **bility in accordance with section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794.**

13 **(4) The policy must provide consequences for student noncompliance with the prohibition**
14 **on the use of student personal electronic devices.**

15 [(6)] **(5)** [*School districts must ensure that the policies adopted under subsection (3) or (4) of this*
16 *section are]* **A school district must ensure that the policy is made available to:**

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

19 (b) Students and parents or guardians of students.

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

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

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

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

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

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

31 **(6) A school district that does not comply with this section is considered nonstandard**
32 **under ORS 327.103.**

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