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SENATE BILL 160

**57TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2025**

INTRODUCED BY

Antonio Maestas

AN ACT

RELATING TO PUBLIC EDUCATION; REQUIRING THAT EACH SCHOOL DISTRICT AND CHARTER SCHOOL ADOPT AND IMPLEMENT A POLICY FOR THE USE OF WIRELESS COMMUNICATION DEVICES BY STUDENTS IN PUBLIC SCHOOLS; REQUIRING THE PUBLIC EDUCATION DEPARTMENT TO PROVIDE POLICY GUIDELINES; REQUIRING POLICY EVALUATIONS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. A new section of the Public School Code is enacted to read:

"[NEW MATERIAL] WIRELESS COMMUNICATION DEVICE-- DEFINITION--POLICY--USE OF DEVICE BY STUDENTS.--

A. As used in this section, "wireless communication device" means a portable electronic device capable of transmitting voice, text or data, including a:

- (1) cellular phone or smartphone;

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- 1 (2) tablet computer;
- 2 (3) laptop computer; or
- 3 (4) gaming device.

4 B. No later than August 1, 2025, each school  
5 district and charter school shall adopt and implement a  
6 wireless communication device policy. The department shall  
7 issue guidelines outlining the minimum requirements for a  
8 wireless communication device policy, including that a policy  
9 shall:

- 10 (1) prohibit a student from using a wireless  
11 communication device during instructional hours;
- 12 (2) authorize a teacher to permit a student to  
13 use a wireless communication device for educational purposes  
14 during instructional hours;
- 15 (3) permit a student to use a wireless  
16 communication device in the event of an emergency or to manage  
17 the student's health care;
- 18 (4) permit a student to use a wireless  
19 communication device for accessibility purposes, including  
20 text-to-speech, speech-to-text or other assistive technologies  
21 that aid in communication, navigation or learning;
- 22 (5) provide protections for student privacy  
23 and confidentiality related to the permissible use of a  
24 wireless communication device at school;
- 25 (6) provide for the permissible use of a

1 wireless communication device during non-instructional hours;  
2 and

3 (7) provide for consequences for violation of  
4 the wireless communication device policy.

5 C. After proper notification requirements for a  
6 public meeting are satisfied, each school district or charter  
7 school shall hold at least one public meeting, in person or  
8 virtually, to allow for public comment regarding a proposed  
9 wireless communication device policy.

10 D. A wireless communication device policy adopted  
11 and implemented pursuant to this section shall not prohibit a  
12 student from using a wireless communication device during  
13 instructional hours if the use of the device is a medical  
14 necessity, an accommodation for a student with a disability or  
15 included in a student's individualized education program.

16 E. Upon adoption of a wireless communication device  
17 policy, each school district or charter school shall publish  
18 the policy on the school district's or charter school's  
19 website.

20 F. School districts and charter schools shall  
21 annually evaluate the effectiveness of their respective  
22 wireless communication device policies and shall report the  
23 findings to the department.

24 G. School districts and charter schools shall  
25 provide training for teachers, administrators and staff on the

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1 effective implementation of the wireless communication device  
2 policy, and the policy shall be communicated to students and  
3 parents upon implementation and on an ongoing basis at the  
4 beginning of each school year."

5 SECTION 2. EFFECTIVE DATE.--The effective date of the  
6 provisions of this act is July 1, 2025.

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