



LFC Requester: Liu

**PUBLIC EDUCATION DEPARTMENT  
BILL ANALYSIS  
2025 REGULAR SESSION**

**SECTION I: GENERAL INFORMATION**

Check all that apply:

Original  Amendment   
Correction  Substitute

Date Prepared: 01/28 /25

Bill No: SB160

**Agency Name and Code:** PED - 924

**Sponsor:** Maestas

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**Short Title:** STUDENT USE OF WIRELESS COMMUNICATION PLANS

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**SECTION II: FISCAL IMPACT**

(Parenthesis ( ) Indicate Expenditure Decreases)

**APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY26	FY27		
None	None	N/A	NFA

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY26	FY27	FY28		
None	None	None	N/A	NFA

**ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)**

	FY26	FY27	FY28	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
<b>Total</b>	None	None	None	None	N/A	NFA

Duplicates/Relates to Appropriation in the General Appropriation Act: None as of 2/6/2025

## **SECTION III: NARRATIVE**

### **BILL SUMMARY**

Synopsis: Senate Bill 160 (SB160) would create a new section of Public School Code requiring each school district and charter school to adopt and implement, by August 1, 2025, policies for wireless communication devices, such as cellular phones and computers. The policies must prohibit the use of devices during instructional hours but also provide usage exemptions for educational purposes, emergencies, accessibility, medical necessity, or accommodation for a disability.

School districts and charter schools would be required to host public meetings to allow for public comment on the policies and to post the policies on the school district's or charter school's website. School districts and charter schools would be required to train staff on the implementation of their policies and to evaluate and annually report on the policies to the Public Education Department (PED).

The effective date of SB160 is July 1, 2025.

### **FISCAL IMPLICATIONS**

SB160 does not include an appropriation, but does require schools to train staff, evaluate policies annually, and report to PED, which will likely necessitate additional expenditures.

### **SIGNIFICANT ISSUES**

Many districts in New Mexico have adopted policies regarding the use of personal electronic devices. For example, Albuquerque Public Schools (APS) has had a procedural directive in place for more than 10 years mandating the restriction of student electronic communication devices such as cell phones, smart watches, tablet computers, and digital audio players during the school day. Confiscation procedures regarding these devices are left to the discretion of individual schools within the school district. In September of 2024, the Taos school board passed a policy banning student cell phone use at Taos Middle School and Taos High School during the school day. The policy requires that all students place their phones in magnetically sealed pouches during instructional time.

Personnel from APS and Taos Municipal Schools have publicly reported the success of the restrictions, citing increased student engagement and the potential for decreased disciplinary actions within schools (see, [KRQE, 2024](#), and [Taos News, 2024](#)).

In studies conducted nationwide, restricting the use of devices has been shown to support anti-bullying efforts and promote social-emotional health amongst students. In 2023, nine in 10 public schools reported occurrences of cyberbullying among their students during the school year (see, [KFF Research Study, 2024](#)). By limiting opportunities for students to access devices and engage in unmonitored online interactions during school hours, schools can reduce incidents of harassment and cyberbullying.

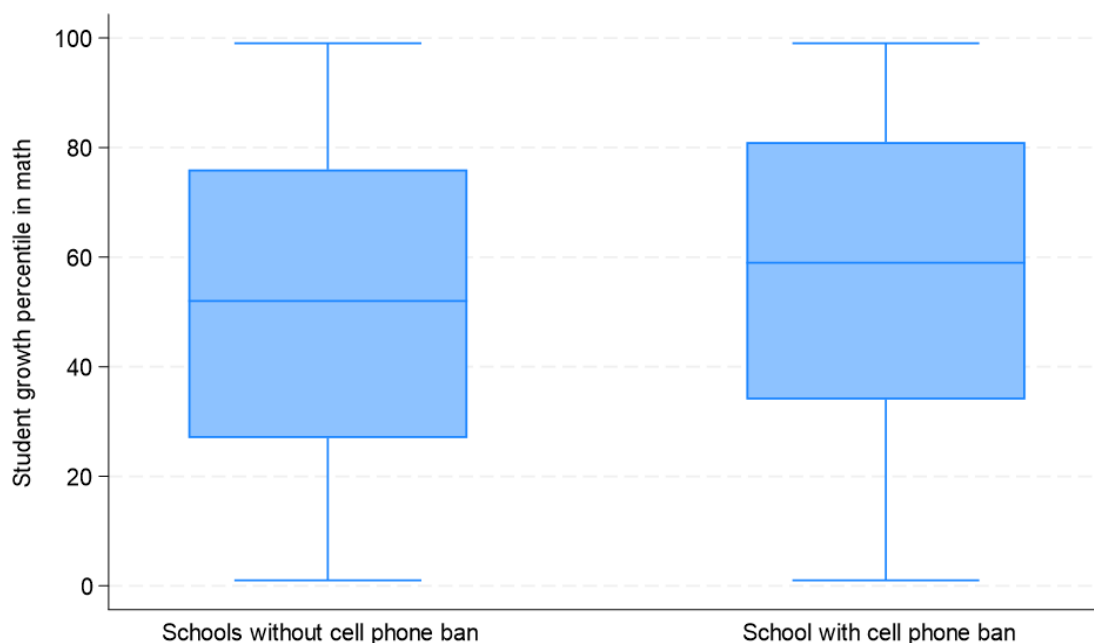
Furthermore, student device usage during instruction time is seen as a major barrier to student learning and achievement. Seventy-two percent of high school teachers and 33 percent of middle school teachers saw student cell phone distraction as a major problem in the classroom (see, [Pew](#)

[Research Study, 2022](#)). By setting restrictions on device usage, schools aim to create a focused learning environment and enhance student engagement and academic performance.

## PERFORMANCE IMPLICATIONS

In addition to the potential for increasing mental health outcomes and decreasing behavioral incidents, a 2024 study of a middle school in New Mexico that restricted the use of cell phones illustrates the potential for increased academic outcomes, particularly in math. The school showed higher results on mathematics examinations than other middle schools in the district (see, Figure 1, below).

Figure 1. Results of student growth percentile (SGP) for math assessments



## ADMINISTRATIVE IMPLICATIONS

If enacted, SB160 would require the PED to issue guidelines outlining the minimum requirements for a wireless communication device policy. School districts and charter schools would also be charged with evaluating the effectiveness of their policies and reporting findings to PED. School district and charter school annual policy evaluations.

## CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

Relates to Senate Bill 11, which would require PED to encourage school districts and charter schools to voluntarily adopt “anti-distraction policies” focused on restriction of personal electronic device usage during the school day.

Relates to Senate Bill 149, Crime of Cyberbullying, which would create the crime of cyberbullying in the Criminal Code.

## TECHNICAL ISSUES

The definition of “wireless communication device” as proposed by the bill does not include smart watches. The sponsor may wish to consider amending the definition explicitly to include those devices

## OTHER SUBSTANTIVE ISSUES

The Education Commission of the States [reported](#) in October 2024 that a few states directly address the use of cell phones in classrooms. Below are examples of eight enacted state policies on cell phone possession or use in schools.

- **Alabama:** In February, the state board passed [a resolution](#) strongly encouraging local boards to adopt a policy limiting cell phone use while on school property.
- **California:** Enacted in 2019, [A.B. 272](#) authorizes the governing body of a school district, a county office of education or a charter school to adopt a policy limiting or prohibiting student use of smartphones while students are on school grounds. Students may use cell phones in case of an emergency with employee permission or when allowed through an individualized education plan.
- **Florida:** Enacted in 2023, [H.B. 379](#) prohibits students from using cell phones during instructional time and requires teachers to designate an area for cell phones during instructional time.
- **Indiana:** Enacted earlier this year, [S.B. 185](#) requires public schools, including charter schools, to adopt, implement and publish a wireless communication device policy that regulates student use of a wireless communication device, including cell phones, tablets, laptops and gaming devices.
- **Kentucky:** [Rev. Stat. Ann. § 158.165](#) requires the board of education of each school district to develop a policy regarding the possession and use of cell phones by students while on school property or while attending a school-sponsored event. The policy is to be included in the district’s standards of student conduct.
- **Ohio:** [H.B. 250](#) (enacted, 2024) requires school districts to adopt a cell phone policy that seeks to limit cell phone use during school hours.
- **South Carolina:** [Code Ann. Regs. 43-279 \(IV\)\(A\)\(2\)\(i\)](#) establishes minimum standards for student conduct that school districts must address in their local student conduct policy. Among the activities and behaviors identified is the possession of cell phones in schools. Consequences for cell phone misuse, as defined by the district, can range from a verbal reprimand to consequences in coordination with local authorities depending on the specific school policy.
- **Virginia:** In early July 2024, Gov. Glen Youngkin issued [an executive order](#) (EO-33) directing the department of education to draft guidance for schools to adopt policies that would establish cell phone-free education. The guidance must include processes for parents to communicate with their children for reasons such as “forgotten items and changes in pick-up times, as well as protocols for students with medical needs to access their devices and for emergency communication.”

## ALTERNATIVES

None.

## **WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL**

According to a [UCLA health expert](#), not regulating wireless communication devices may disrupt the learning environment, stunt social development, and harm students' mental health this bill,

## **AMENDMENTS**

See, "Technical Issues," above, for a potential amendment to the bill addressing the exclusion of smart watches in the definition of "wireless communication device."