

SENATE FINANCE COMMITTEE SUBSTITUTE FOR
SENATE BILL 11

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

This document may incorporate amendments proposed by a committee, but not yet adopted, as well as amendments that have been adopted during the current legislative session. The document is a tool to show amendments in context and cannot be used for the purpose of adding amendments to legislation.

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.

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

SECTION 1. A new section of the Public School Code is

.231139.2AIC March 3, 2025 (10:59am)

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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, smartphone or smartwatch;
- (2) tablet computer;
- (3) laptop computer; or
- (4) gaming device.

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

- (1) prohibit a student from using a wireless communication device during instructional hours;
- (2) authorize a teacher to permit a student to use a wireless communication device for educational purposes during instructional hours;
- (3) permit a student to use a wireless communication device in the event of an emergency or to manage the student's health care;
- (4) permit a student to use a wireless

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communication device for accessibility purposes, including text-to-speech, speech-to-text or other assistive technologies that aid in communication, navigation or learning;

(5) provide protections for student privacy and confidentiality related to the permissible use of a wireless communication device at school;

(6) provide for the permissible use of a wireless communication device during non-instructional hours; and

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

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

D. Upon adoption of a wireless communication device policy, each school district or charter school shall publish the policy on the school district's or charter school's website."

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