

SENATE FINANCE COMMITTEE SUBSTITUTE FOR
SENATE BILL 11

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

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 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;

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

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

underscoring material = new
~~[bracketed material] = delete~~