

SENATE BILL 160

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

INTRODUCED BY

Antonio Maestas

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 ~~SEC~~ ~~→; REQUIRING POLICY EVALUATIONS~~ ←SEC.

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

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

.229396.1AIC February 13, 2025 (11:54am)

underscored material = new
[bracketed material] = delete
Amendments: new = →bold, blue, highlight←
delete = →bold, red, highlight, strikethrough←

underscoring material = new
[bracketed material] = delete
Amendments: new = →bold, blue, highlight←
delete = →bold, red, highlight, strikethrough←

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 SEC→~~or~~←SEC SEC→, ←SEC
smartphone SEC→~~or smartwatch~~←SEC ;
- (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:

- (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;

.229396.1AIC February 13, 2025 (11:54am)

underscoring material = new
[bracketed material] = delete
Amendments: new = bold, blue, highlight
delete = bold, red, highlight, strikethrough

(4) permit a student to use a wireless 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.

~~SEC→C. After proper notification requirements for a public meeting are satisfied, each school district or charter school shall hold at least one public meeting, in person or virtually, to allow for public comment regarding a proposed wireless communication device policy.~~←SEC

SEC→D.←SEC SEC→C.←SEC 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.

SEC→E.←SEC SEC→D.←SEC Upon adoption of a wireless .229396.1AIC February 13, 2025 (11:54am)

underscored material = new
[bracketed material] = delete
Amendments: new = →bold, blue, highlight←
delete = →bold, red, highlight, strikethrough←

communication device policy, each school district or charter school shall publish the policy on the school district's or charter school's website. SEC→"←SEC

SEC→~~F. School districts and charter schools shall annually evaluate the effectiveness of their respective wireless communication device policies and shall report the findings to the department.~~

~~G. School districts and charter schools shall provide training for teachers, administrators and staff on the←SEC SEC→effective implementation of the wireless communication device policy, and the policy shall be communicated to students and parents upon implementation and on an ongoing basis at the beginning of each school year."~~←SEC

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

- 4 -