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FISCAL IMPACT REPORT

SPONSOR <u>Brantley</u>	LAST UPDATED _____
	ORIGINAL DATE <u>1/28/25</u>
SHORT TITLE <u>Anti-Distraction Policy in Schools</u>	BILL NUMBER <u>Senate Bill 11</u>
	ANALYST <u>Mabe, Liu</u>

APPROPRIATION* (dollars in thousands)

FY25	FY26	Recurring or Nonrecurring	Fund Affected
	\$10,000.0	Nonrecurring	General Fund

Parentheses () indicate expenditure decreases.

*Amounts reflect most recent analysis of this legislation.

Sources of Information

LFC Files
 Legislative Education Study Committee (LESC) Files
 National Conference of State Legislatures (NCSL)
 Centers for Disease Control and Prevention (CDC)

Agency Analysis Received From

Public School Insurance Authority (NMPSIA)
 Early Childhood Education and Care Department (ECECD)

Agency Analysis was Solicited but Not Received From

Public Education Department (PED)
 Regional Education Cooperatives (REC)
 Human Services Department (HSD)

Agency Declined to Respond

Public School Facilities Authority (PSFA)
 Department of Information Technology (DoIT)

SUMMARY

Synopsis of Senate Bill 11

Senate Bill 11 appropriates \$10 million from the general fund to PED to reimburse schools for specialized storage equipment that restricts use of personal electronic devices during the school day. The bill requires PED to encourage local school boards and charter school governing bodies to voluntarily adopt anti-distraction policies meant to promote academic success and positive social development. This bill does not contain an effective date and, as a result, would go into

effect 90 days after the Legislature adjourns if enacted, or June 20, 2025.

FISCAL IMPLICATIONS

The appropriation of \$10 million contained in this bill is a nonrecurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of FY28 shall revert to the general fund.

The executive, LESC, and LFC budget recommendations do not include an appropriation for purposes outlined in this bill. Absent the appropriation, school districts and charter schools would need to use operational dollars or capital funds to purchase anti-distraction equipment.

Specialized equipment like magnetic pouches that hold, lock, and unlock cell phones at a teacher's discretion cost roughly \$15 to \$25 each. Estimated costs of supplying each of the state's 300.4 thousand public school students would be between \$4.5 million and \$7.5 million. Some schools, like Taylor Middle School in Albuquerque, Zuni Public Schools, and Taos Municipal Schools, already use magnetic pouches, which may reduce the fiscal impact of this bill.

SIGNIFICANT ISSUES

National surveys suggest nearly all students, 97 percent, between the ages of 11 and 17 use their phones during school hours. While there is some evidence that when used appropriately, cell phones can aid learning, multiple studies have shown the negative effects of cellphones in classrooms on mental health, bullying, and teaching and learning, according to NCSL.

The CDC's youth risk behavior surveillance system reports 77 percent of students use social media frequently, which has been associated with suicide risk, bullying, negative body image, poor sleep, and feelings of sadness and hopelessness. The 2024 U.S. Surgeon General advisory on social media and mental health recommends policymakers take steps to strengthen safety standards and limit access in ways that make social media safer for children of all ages.

According to the Pew Research Center, most K-12 schools have a cell phone policy, but because they are difficult to enforce, they are often not effective. Since 2023, legislation to regulate cell phone use has been introduced in at least 27 states. In 2024, at least four states introduced legislation encouraging the use of magnetic pouches. Like SB11, most legislation leaves the details on regulating devices to local governing boards.

Parents often worry about being able to get in touch with their children, especially in the case of emergency, but Taos Municipal Schools, which rolled out magnetic pouches during the 2024-2025 school year, notes parents can contact students by email and teachers have the ability to unlock the pouches in case of emergency (or if they are needed for instruction).

While there is some research on the effects of cell phone bans, a review of nearly two dozen studies in the *Journal of Psychologists and Counsellors in Schools* found that results across these studies were inconclusive. The authors suggest that more rigorous studies are needed to better understand the effects of cell phone bans.

ADMINISTRATIVE IMPLICATIONS

Provisions of this bill require PED to encourage the voluntary adoption of anti-distraction policies at schools. The department will need to provide guidance on the definition of specialized storage equipment necessary to implement an adopted anti-distraction policy and create a process for reimbursing costs incurred by schools.

PED will also need to reimburse schools for the equipment they purchase in a timely manner. PED's timeline for reimbursement has improved, with the average time to process a request for reimbursement being 13 days in the first quarter of FY25, falling within the target of 22 days for the first time in three years. The LFC-LESC 2024 report on PED special programs notes initiatives requiring reimbursement "are often mired in bureaucratic processes that slow expenditures, create inequities in access to resources, and limit the potential of state-driven ideas." Creating a new initiative may result in initial delays with implementation.

OTHER SUBSTANTIVE ISSUES

In 2023, House Bill 401 renamed the Technology for Education Act as the Digital Equity in Education Act. It also required schools to develop an educational equity plan and reestablished the Council on Technology in Education. The council could possibly be a supportive entity in helping school districts and charter schools create anti-distraction policies.

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