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## FISCAL IMPACT REPORT

<b>SPONSOR</b> <u>Maestas</u>	<b>LAST UPDATED</b> _____
<b>SHORT TITLE</b> <u>Student Use of Wireless Communication Plans</u>	<b>ORIGINAL DATE</b> <u>2/16/25</u>
	<b>BILL NUMBER</b> <u>Senate Bill 160/aSEC</u>
	<b>ANALYST</b> <u>Mabe</u>

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

Agency/Program	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
School Districts	Indeterminate but minimal	Indeterminate but minimal	Indeterminate but minimal		Recurring	General Fund

Parentheses ( ) indicate expenditure decreases.  
 \*Amounts reflect most recent analysis of this legislation.

Conflicts with Senate Bill 11

### Sources of Information

LFC Files

Agency Analysis Received From  
 Public School Insurance Authority (NMPSIA)  
 Regional Education Cooperatives (REC)

Agency Analysis was Solicited but Not Received From  
 Department of Information Technology (DoIT)  
 Public Education Department (PED)

## SUMMARY

### Synopsis of SEC Amendment to Senate Bill 160

This Senate Education Committee amendments to Senate Bill 160 (SB160) remove a) the need for school districts and charter schools to evaluate their plans annually, b) the requirement that school districts and charter schools hold a public meeting about their wireless device policy, and c) the need for schools to provide training to school staff and notification of students and families. It also adds smartwatches to the list of wireless devices.

### Synopsis of Original Senate Bill 160

Senate Bill 160 (SB160) adds a new section to the Public School Code requiring that each school district and charter school adopt and implement a wireless device policy by August 1, 2025. “Wireless device” is defined as a cellular or smartphone, tablet computer, laptop computer, or gaming device. It also requires PED to provide schools with minimum policy requirements that

must:

- Prohibit students from using wireless devices during instructional hours.
- Authorize teachers to permit wireless devices for educational purposes during instructional hours.
- Allow students to use wireless devices for accessibility purposes (including text-to-speech, speech-to-text or other technologies that aid in communication, navigation, or learning).
- Provide protections for student privacy and confidentiality related to permissible use of wireless devices at school.
- Provide for the permissible use of wireless devices during non-instructional hours.
- Provide for consequences of violating the wireless device policy.

The bill also requires each district or charter school to hold at least one in-person or virtual public meeting after they have come up with a policy to allow for public comment. They are then required to publish the policy on the school district or charter school's website and provide training for teachers, administrators, and staff on implementation. Additionally, school districts and charter schools must talk about it with students and parents at the beginning of each school year as well as report on the policy's effectiveness to PED each year.

The effective date of this bill is July 1, 2025.

## **FISCAL IMPLICATIONS**

This bill does not include an appropriation. The bill requires that schools provide teachers with training on how to implement the wireless device policy. But this could be done in-house with existing resources.

## **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 the National Conference of State Legislatures.

The Centers for Disease Control'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. SB160 requires that a school's policy includes consequences of violating the policy but does not include guidance on what type of consequences are effective.

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. Another study, published this month in Lancet's Regional Health Europe found no direct link between school policies and better outcomes, but it did find a link between increased screen time and mental health, sleep, classroom behavior and physical activity. The authors suggest that this indicates that school bans are not enough to deal with the negative effects and that a holistic approach is needed.

The bill requires that schools report on the effectiveness of their device policy each year, but it does not lay out what PED should do with those reports.

## **ADMINISTRATIVE IMPLICATIONS**

School districts and charter schools will need to determine how to comply with the bill's required protections for student privacy and confidentiality related to the use of wireless devices at schools. They will also need to provide training to all school personnel, communicate with students and families, and report on their policy's effectiveness to PED each year.

Because the bill requires school districts and charter schools to complete their policy by July 1, 2025, PED will need to outline and publish their rules for those policies in a relatively short timeframe. PED will also need to process school policy evaluations each year.

## **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

Conflicts with Senate Bill 11, which requires PED to encourage school districts and chart schools to voluntarily adopt anti-distraction policies and includes a \$10 million appropriation to reimburse schools for equipment that aids those policies.