

**2025 LEGISLATIVE SESSION
AGENCY BILL ANALYSIS**

Section I: General

Chamber: Senate

Category: Bill

Number: 160

Type: Introduced

Date (of THIS analysis): 2/13/2025

Sponsor(s): Antonio Maestas

Short Title: STUDENT USE OF WIRELESS COMMUNICATION PLANS

Reviewing Agency: Agency 665 - Department of Health

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Section II: Fiscal Impact

APPROPRIATION (dollars in thousands)

Appropriation Contained		Recurring or Nonrecurring	Fund Affected
FY 25	FY 26		
\$0	\$0	N/A	N/A

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY 25	FY 26	FY 27		
\$0	\$0	\$0	N/A	N/A

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY 25	FY 26	FY 27	3 Year Total Cost	Recurring or Non-recurring	Fund Affected
Total	\$0	\$0	\$0	\$0	N/A	N/A

Section III: Relationship to other legislation

Duplicates: None

Conflicts with: None

Companion to: None

Relates to: Senate Bill 11 (SB11)

Duplicates/Relates to an Appropriation in the General Appropriation Act: None

Section IV: Narrative

1. BILL SUMMARY

a) Synopsis

Senate Bill 160 as amended (SB160) would add 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, smart watch, 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.

SB160 provides states that no policy shall prohibit a student from using a wireless device if the use of the device is medically necessary.

Is this an amendment or substitution? Yes No

Is there an emergency clause? Yes No

b) Significant Issues

Mobile phone ownership has become a ubiquitous part of young people’s lives. According to a 2023 survey by Common Sense Media, 97% of 11- to 17-year-olds reported using their phones in some capacity during school hours. On average, students handled their phones around 13 times during the school day with many children both during and outside of school hours using mobile and wireless technology to communicate and learn. ([Half of all Australian kids have hands on mobile phones, according to Communication and Media Authority survey - ABC News](#))

Both challenges and benefits exist with the integration of electronic devices in educational settings:

Challenges include distractions caused by smartphone app updates and notifications diverting attention from academic work. Reliance and distraction caused by social media

may impact time management skills during school hours and potentially result in feelings of loneliness, anxiety, and melancholy. Misinformation on-line may lead to errors or misinterpretation of academic content or subjects, or distract from instructor led learning plans during classroom hours. Collaborative projects which encourage participation and information sharing outside the classroom can be supported by smartphones, improving access to the most current information and a variety of perspectives, however this benefit does not necessarily support having access to and using smartphones during classroom hours. ([Exploring the role of social media in collaborative learning the new domain of learning | Smart Learning Environments | Full Text](#))

With careful monitoring and guidance, students could be supported in assessing the quality of on-line information in education including, teaching students how to identify credible sources of information and red flags, promoting academic integrity and ethical norms. This guidance could support students generally in their research and pursuit of answers in a technological age defined less by the need to find information and more by the need to evaluate the quality of an abundance of all sorts of information. Districts should consider strategies to ensure equitable access to internet-based learning for all students. Evidence from 22 studies concluded that a one size fits all approach is unlikely to have a uniform, positive effect ([What the Science Says: Smartphones in Schools - The Digital Wellness Lab](#)), but it is generally observed that while smartphones can be tools for learning, in practice, they often obstruct the learning environment instructors need to establish for the benefit of the whole classroom.

Utilization of some forms of technology in education can produce meaningful, dynamic learning experiences and is essential in day-to day learning and activities. Schools may consider policies to assist students in achieving successful utilization of technology in learning by teaching digital literacy, and critical evaluation of on-line content and conduct. Professional development for educators on utilization of technology in education may be necessary, including privacy, security, educational efficacy and validity. Consideration of standards for educational use of technology emphasizing integrity of information and responsible behavior could be considered for successful use of technology in the classroom. Obtaining stakeholder buy-in from teachers, students, administrators and families to ensure success in implementation of policy.

[The Significance of Social Media in Shaping Students' Academic Performance: Challenges, Benefits, and Quality Assurance Outlook Featured, Translation Education adelakunnajeem@gmail.com The Significance of Social Media in Shaping Students' Academic Performance: Challenges, Benefits, and Quality Assurance Outlook - The Significance of Social Media in Shaping Students' Academic Performance: Challenges, Benefits, and Quality Assurance Outlook - Information Matters](#)

While technology use to enhance learning is a critical component of living in a digital age, research has shown that that following a ban on phone use during the school day there is improvement in test scores, particularly among students who have lower levels of achievement. ([Ill Communication: Technology, distraction & student performance - ScienceDirect](#)).

PERFORMANCE IMPLICATIONS

- Does this bill impact the current delivery of NMDOH services or operations?
 Yes No

- Is this proposal related to the NMDOH Strategic Plan? Yes No

Goal 1: We expand equitable access to services for all New Mexicans

Goal 2: We ensure safety in New Mexico healthcare environments

Goal 3: We improve health status for all New Mexicans

Goal 4: We support each other by promoting an environment of mutual respect, trust, open communication, and needed resources for staff to serve New Mexicans and to grow and reach their professional goals

3. FISCAL IMPLICATIONS

- If there is an appropriation, is it included in the Executive Budget Request?
 Yes No N/A
- If there is an appropriation, is it included in the LFC Budget Request?
 Yes No N/A
- Does this bill have a fiscal impact on NMDOH? Yes No

4. ADMINISTRATIVE IMPLICATIONS

Will this bill have an administrative impact on NMDOH? Yes No

5. DUPLICATION, CONFLICT, COMPANIONSHIP OR RELATIONSHIP

SB160 is related to Senate Bill 11 (SB11) requiring the NM PED to encourage school districts and chart schools to voluntarily adopt anti-distraction policies.

6. TECHNICAL ISSUES

Are there technical issues with the bill? Yes No

7. LEGAL/REGULATORY ISSUES (OTHER SUBSTANTIVE ISSUES)

- Will administrative rules need to be updated or new rules written? Yes No
- Have there been changes in federal/state/local laws and regulations that make this legislation necessary (or unnecessary)? Yes No
- Does this bill conflict with federal grant requirements or associated regulations?
 Yes No
- Are there any legal problems or conflicts with existing laws, regulations, policies, or programs? Yes No

8. DISPARITIES ISSUES

None.

9. HEALTH IMPACT(S)

Policymakers and school administrators should emphasize the importance of teaching critical digital literacy and responsible device use in schools. Without the necessary education and support to safely navigate this digital space in their lives, providing children with unrestricted and unfiltered access to mobile devices and technology may place them at greater risk of harm

from digital predators or unfiltered content ([Evidence for and against banning mobile phones in schools: A scoping review - Marilyn Campbell, Elizabeth J Edwards, Donna Pennell, Shiralee Poed, Victoria Lister, Jenna Gillett-Swan, Adrian Kelly, Dajana Zec, Thuy-Anh Nguyen, 2024](#))

10. ALTERNATIVES

None.

11. WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL?

If SB160 is not enacted, the Public School Code would not be changed to require each school district and charter school adopt and implement a wireless device policy by August 1, 2025.

12. AMENDMENTS

None.