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**LEGISLATIVE EDUCATION STUDY COMMITTEE**  
**BILL ANALYSIS**  
**57th Legislature, 1st Session, 2025**

<b>Bill Number</b>	<u>SB160/aSEC</u>	<b>Sponsor</b>	<u>Maestas</u>
<b>Tracking Number</b>	<u>.229396.1</u>	<b>Committee Referrals</b>	<u>SEC/SHPAC</u>
<b>Short Title</b>	<u>Student Use of Wireless Communication Plans</u>		
<b>Analyst</b>	<u>Davalos</u>	<b>Original Date</b>	<u>2/5/2025</u>
		<b>Last Updated</b>	<u>2/17/2025</u>

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**BILL SUMMARY**

Synopsis of SEC Amendment

The Senate Education Committee amendment to Senate Bill 160 (SB160/aSEC) expands the definition of a wireless communication device to include smartwatches. Additionally, the amendment removes several requirements related to wireless communication device policies in schools, such as:

- The requirement for at least one public meeting to gather public comment on such policies;
- The requirement for school districts and charter schools to evaluate the effectiveness of their policies annually and report their findings to the Public Education Department (PED);
- The requirement to provide training for teachers, administrators, and staff on policy implementation; and
- The requirement to inform students and parents about the implementation of a wireless communication device policy and to continue this communication at the start of each school year.

Synopsis of Original Bill

Senate Bill 160 (SB160) would add a new section to the Public School Code requiring each school district and charter school to adopt a wireless communication device (WCD) policy no later than August 1, 2025. WCD would be defined as any portable electronic device capable of transmitting voice, text, or data, encompassing cellular phones, smartphones, tablets, laptops, and gaming device

The Public Education Department (PED) would be directed to develop statewide guidelines that establish the minimum requirements for WCD policies. These guidelines would include a prohibition on students using a WCD during instructional hours (with certain exceptions), privacy and confidentiality protections, and consequences for violating WCD policies. To ensure public input, each school district and charter school would be required to hold at least one public meeting regarding a proposed WCD policy. Once adopted, the policy would be published on the school district's or charter school's website.

Additionally, school districts and charter schools would need to evaluate their policy's effectiveness annually and report their findings to PED. School districts and charter schools would also be responsible for training all school personnel on the policy and ensuring that students and parents receive clear communication upon implementation and at the beginning of each school year.

## **FISCAL IMPACT**

SB160/aSEC does not contain an appropriation.

## **SUBSTANTIVE ISSUES**

According to a 2022 [survey](#) from the Pew Research Center, a nonpartisan and nonadvocacy fact tank, most teenagers now have access to electronic devices: 95 percent own smartphones, 90 percent have desktop or laptop computers, and 80 percent have gaming consoles. Additionally, the number of teens using the internet daily has increased from 92 percent in 2014 to 97 percent in 2022. Notably, the proportion of teens reporting online almost constantly has nearly doubled, increasing from 24 percent in 2014 to 46 percent in 2022.

**Effects of Electronic Devices in Schools.** According to [ExcelinEd](#), a nonprofit organization focused on student-centered policies, [data](#) from the International Organization for Economic Cooperation and Development (OECD) shows a clear correlation between electronic distractions and academic performance. Specifically, students who spend more leisure time on devices and social media, especially during school hours, tend to perform lower in math. ExcelinEd notes the use of cell phones in classrooms undermines the learning environment, contributing to decreased academic performance and increased classroom distractions, with low-income students disproportionately impacted.

Further reporting from [Education Week](#), a nonprofit news organization covering kindergarten through 12th grade (K-12) education, corroborates these findings. Reporting on the same data, the publication indicated approximately two-thirds of U.S. students admit to being distracted by digital devices during school hours, while 54 percent report being distracted by classmates using these resources. Teachers share similar concerns, with many emphasizing the detrimental effects of cell phones on students' attention and social-emotional development.

**In-School Personal Device Restrictions.** The majority of educators support policies limiting personal device use in schools. According to the National Education Association (NEA), a nonprofit educational advocacy organization, 90 percent of its members advocate restricting cell phones and personal devices during instructional time. Additionally, 83 percent favor a full-day ban on personal devices, allowing exceptions only for essential needs such as medical or assistive technology. SB160/aSEC would require PED to issue guidelines outlining the minimum requirements for a WCD policy, including allowing students to use WCDs for emergencies, managing health care, and accessibility purposes related to their education.

Data from a 2022 survey on safety and security measures by the [National Center for Education Statistics \(NCES\)](#), a statistical agency of the U.S. Department of Education, further highlights this trend. The survey found that over 76 percent of schools nationwide have implemented policies prohibiting non-academic use of cell phones or smartphones during school hours.

**Policies on Personal Electronic Devices in New Mexico Schools.** Many school districts and individual schools in New Mexico have implemented policies restricting personal electronic devices during school hours to minimize distractions and enhance the learning environment. Notable examples include:

- **Albuquerque Public Schools:** The [Student Acceptable Use of Technology Policy](#) allows students to possess devices but requires them to be powered off and out of sight during school hours and activities. Schools may adopt additional internal procedures for stricter regulation.
- **Santa Fe Public Schools:** The [Wireless Communication Device Policy](#) prohibits personal devices at all school levels, with limited exceptions for middle and high school students at specific times. While the policy has not been amended since 2013, Superintendent Hilario Chavez announced plans to revamp it in [August 2024](#).
- **Las Cruces Public Schools:** Board of Education [policy](#) permits students to possess devices on school property and at events but imposes restrictions that vary by grade level.
- **Ruidoso High School:** The [2022-2023 Student Handbook](#) mandates devices be silenced or powered off and stored in the student’s backpacks, pockets, or purses during school hours. Use is allowed before school, at lunch, or after school.
- **Hobbs Middle School:** The [2023-2024 Handbook](#) prohibits device use during the school day and requires devices to remain off and out of sight.

**National Context.** As of 2024, several states have enacted legislation requiring schools to regulate the use of cell phones and personal devices during the school day to reduce distractions and enhance student focus. States that have adopted such measures include California, Indiana, Kentucky, Minnesota, Ohio, and Virginia.

## ADMINISTRATIVE IMPLICATIONS

PED would be responsible for issuing guidelines outlining the minimum requirements for WCD policies across all school districts and charter schools in the state.

School districts and charter schools would need to develop and implement WCD policies if such policies were not already in place.

## OTHER SIGNIFICANT ISSUES

**Federal Legislative Efforts.** In November 2023, U.S. Senators Tom Cotton (R-Arkansas) and Tim Kaine (D-Virginia) introduced [Senate Bill 3266, the Focus on Learning Act](#). This proposed legislation would have mandated the federal Department of Education and the federal Department of Health and Human Services study and report on the effects of cell phone use on various aspects of student life, including academic performance, engagement, mental health, behavior, classroom instruction, and school climate. This bill did not pass in the 118th Congress.

## RELATED BILLS

Relates to Senate Bill 11 (SB11), Anti-Distraction Policy in Schools, which would allow local school boards and governing bodies to voluntarily adopt policies on student use of personal electronic devices during the school day. SB11 also allocates \$10 million to fund specialized storage equipment for securing these devices.

**SOURCES OF INFORMATION**

- LESC Files
- The Department of Health (DOH)
- The Public Education Department (PED)
- New Mexico Public Schools Insurance Authority (NMPSIA)
- New Mexico Regional Education Cooperatives Association (NMRECA)

**ND/clh/mca/jkh**