

# SENATE BILL 130

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5lr0757

(PRE-FILED)

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By: ~~Senator Benson~~ Senators Benson, Attar, Augustine, Brooks, Feldman, Hester, Waldstreicher, M. Washington, and Watson

Requested: September 5, 2024

Introduced and read first time: January 8, 2025

Assigned to: Education, Energy, and the Environment

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 27, 2025

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 ~~County Boards of Education – Student Cellular Device Use Policy – Established~~  
3 Education – Student Personal Electronic Device Use Policy – Required

4 FOR the purpose of ~~requiring each county board of education to develop and implement a~~  
5 ~~policy that prohibits students from using a cellular device during the school day~~  
6 ~~except under certain circumstances; and generally relating to county boards of~~  
7 ~~education and student cellular device use policy~~ requiring the State Department of  
8 Education to develop guidelines for a policy on student use of personal electronic  
9 devices during school hours; requiring county boards of education, in consultation  
10 with students, parents, teachers, and school personnel, to develop and adopt a policy  
11 that limits students from using personal electronic devices during school hours  
12 except under certain circumstances; and generally relating to county boards of  
13 education and a personal electronic device use policy for students.

14 BY adding to  
15 Article – Education  
16 Section 4–147  
17 Annotated Code of Maryland  
18 (2022 Replacement Volume and 2024 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
20 That the Laws of Maryland read as follows:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



## Article - Education

4-147.

~~(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED:~~

~~(2) "CELLULAR DEVICE" MEANS ANY PORTABLE, WIRELESS COMMUNICATION DEVICE, INCLUDING A SMARTPHONE, TABLET, OR WEARABLE DEVICE.~~

~~(3) "INSTRUCTIONAL TIME" MEANS ANY TIME DURING THE SCHOOL DAY, EXCEPT A STUDENT'S LUNCH PERIOD.~~

~~(B) EACH COUNTY BOARD SHALL DEVELOP AND IMPLEMENT A POLICY TO PROHIBIT THE USE OF A CELLULAR DEVICE BY STUDENTS DURING INSTRUCTIONAL TIME.~~

~~(C) EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, THE POLICY DEVELOPED UNDER THIS SECTION SHALL:~~

~~(1) PROHIBIT A STUDENT FROM USING A CELLULAR DEVICE DURING INSTRUCTIONAL TIME; AND~~

~~(2) REQUIRE A STUDENT TO STORE THE STUDENT'S CELLULAR DEVICE IN A SECURE STORAGE CONTAINER.~~

~~(D) THE POLICY DEVELOPED UNDER THIS SECTION MAY NOT PROHIBIT A STUDENT FROM USING A CELLULAR DEVICE:~~

~~(1) FOR ANY PURPOSE DOCUMENTED IN A STUDENT'S INDIVIDUALIZED EDUCATION PROGRAM OR SECTION 504 PLAN;~~

~~(2) TO MONITOR OR ADDRESS A STUDENT'S HEALTH ISSUE THAT HAS BEEN DOCUMENTED BY A LICENSED MEDICAL PROFESSIONAL; OR~~

~~(3) FOR EDUCATION PURPOSES WHEN DIRECTED BY AN EDUCATOR OR ADMINISTRATOR.~~

~~(E) THE POLICY DEVELOPED UNDER THIS SECTION SHALL INCLUDE APPROPRIATE DISCIPLINARY MEASURES FOR VIOLATIONS OF THE POLICY.~~

~~(F) EACH COUNTY BOARD SHALL NOTIFY STUDENTS, PARENTS AND GUARDIANS, AND SCHOOL PERSONNEL OF THE POLICY DEVELOPED AND IMPLEMENTED UNDER THIS SECTION.~~

(A) IN THIS SECTION, "PERSONAL ELECTRONIC DEVICE" MEANS ANY PORTABLE ELECTRONIC DEVICE FOR INDIVIDUAL USE, INCLUDING A SMARTPHONE, TABLET, LAPTOP, SMARTWATCH, OR ANY OTHER ELECTRONIC DEVICE THAT IS CAPABLE OF CONNECTING TO A SMARTPHONE OR A CELLULAR OR WI-FI NETWORK.

(B) THE DEPARTMENT, IN COLLABORATION WITH STAKEHOLDERS, SHALL DEVELOP GUIDELINES FOR A POLICY ON STUDENT USE OF PERSONAL ELECTRONIC DEVICES DURING SCHOOL HOURS, INCLUDING:

(1) MODEL POLICY OPTIONS FOR COUNTY BOARDS TO USE IN THE DEVELOPMENT OF A POLICY;

(2) CONSIDERATIONS FOR STUDENTS IN DIFFERENT GRADE LEVELS;

(3) CONSIDERATIONS FOR LEGAL EXEMPTIONS AND ACCOMMODATIONS FOR STUDENTS; AND

(4) RECOMMENDATIONS ON THE LIMITATION OF STUDENT USE OF PERSONAL ELECTRONIC DEVICES DURING SCHOOL HOURS.

(C) (1) THE DEPARTMENT, IN COLLABORATION WITH STAKEHOLDERS, MAY PERIODICALLY UPDATE THE GUIDELINES DEVELOPED UNDER SUBSECTION (B) OF THIS SECTION.

(2) THE DEPARTMENT MAY:

(i) COLLECT INFORMATION ON EACH COUNTY BOARD'S PERSONAL ELECTRONIC DEVICE USE POLICY; AND

(ii) USE THE INFORMATION COLLECTED TO DEVELOP BEST PRACTICES AND INFORM THE PERIODIC REVIEW OF THE GUIDELINES.

(D) (1) EACH COUNTY BOARD, IN CONSULTATION WITH PARENTS, TEACHERS, STUDENTS, AND SCHOOL PERSONNEL, SHALL DEVELOP AND ADOPT A POLICY THAT LIMITS A STUDENT FROM USING A PERSONAL ELECTRONIC DEVICE DURING SCHOOL HOURS.

(2) THE POLICY ADOPTED UNDER THIS SUBSECTION SHALL:

(i) PROVIDE EXCEPTIONS:

1 **1. FOR ANY PURPOSE DOCUMENTED IN A STUDENT’S**  
2 **INDIVIDUALIZED EDUCATION PROGRAM OR SECTION 504 PLAN;**

3 **2. TO MONITOR OR ADDRESS A STUDENT’S**  
4 **DOCUMENTED HEALTH ISSUE; OR**

5 **3. WHEN DIRECTED BY AN EDUCATOR OR**  
6 **ADMINISTRATOR FOR EDUCATIONAL PURPOSES;**

7 **(II) BE PRINTED IN THE STUDENT HANDBOOK;**

8 **(III) BE PROVIDED TO SCHOOL STAFF AND PERSONNEL; AND**

9 **(IV) BE REVIEWED AND UPDATED EVERY 2 YEARS.**

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
11 1, 2025.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.