

41 Section 1. The education law is amended by adding a new section 2803
42 to read as follows:

43 § 2803. Use of internet-enabled devices during the school day. 1. For
44 purposes of this section:

45 (a) "Internet-enabled devices" shall mean and include any smartphone,
46 tablet, smartwatch, or other device capable of connecting to the inter-
47 net and enabling the user to access content on the internet, including
48 social media applications; provided, however, that "internet-enabled
49 devices" shall not include:

50 (i) non-internet-enabled devices such as cellular phones or other
51 communication devices not capable of connecting to the internet or
52 enabling the user to access content on the internet; or

1 (ii) internet-enabled devices supplied by the school district, charter
2 school, or board of cooperative educational services that are used for
3 an educational purpose.

4 (b) "School day" shall mean the entirety of every instructional day as
5 required by subdivision seven of section thirty-six hundred four of this
6 chapter during all instructional time and non-instructional time,
7 including but not limited to homeroom periods, lunch, recess, study
8 halls, and passing time.

9 (c) "School grounds" shall mean in or on or within any building,
10 structure, athletic playing field, playground, or land contained within
11 the real property boundary line of a district elementary, intermediate,
12 junior high, vocational, or high school, a charter school, or a board of
13 cooperative educational services facility.

14 2. Notwithstanding paragraph b of subdivision one of section twenty-
15 eight hundred fifty-four of this chapter, each school district, charter
16 school, and board of cooperative educational services shall adopt a
17 written policy prohibiting the use of internet-enabled devices by
18 students during the school day anywhere on school grounds. Each school
19 district, charter school, and board of cooperative educational services
20 shall consult local stakeholders, including but not limited to the
21 employee organization representing each bargaining unit within the
22 school building, parents, and students, in the development of such poli-
23 cy prior to its adoption.

24 3. The policy adopted and implemented pursuant to subdivision two of
25 this section shall include one or more methods for persons in parental
26 relation to a student to contact the student during the school day and
27 provide for written notification to such persons in parental relation to
28 a student of these methods at the beginning of each school year and upon
29 enrollment.

30 4. The policy adopted and implemented pursuant to subdivision two of
31 this section shall include one or more methods for on-site storage where
32 students may store their internet-enabled devices during the school day,
33 which may include student lockers.

34 5. (a) The policy adopted and implemented pursuant to subdivision two
35 of this section may authorize student use of an internet-enabled device

36 during the school day on school grounds:

37 (i) if authorized by a teacher, principal, or the school district,
38 charter school, or board of cooperative educational services for a
39 specific educational purpose;

40 (ii) where necessary for the management of a student's healthcare;

41 (iii) in the event of an emergency;

42 (iv) for translation services;

43 (v) on a case-by-case basis, upon review and determination by a school
44 psychologist, school social worker, or school counselor, for a student
45 caregiver who is routinely responsible for the care and wellbeing of a
46 family member; or

47 (vi) where required by law.

48 (b) The policy may not prohibit a student's use of an internet-enabled
49 device where such use is included in the student's:

50 (i) individualized education program; or

51 (ii) plan developed pursuant to section five hundred four of the
52 federal rehabilitation act of 1973, 29 U.S.C. 794.

53 6. No later than August first, two thousand twenty-five, each school
54 district, charter school, and board of cooperative educational services
55 shall adopt and publish in a clearly visible and accessible location on
56 its website the internet-enabled device policy established pursuant to

1 subdivision two of this section. Translation of such policy into any of
2 the twelve most common non-English languages spoken by limited-English
3 proficient individuals in the state, based on the data in the most
4 recent American community survey published by the United States census
5 bureau, shall be provided upon request by a student or persons in
6 parental relation to a student.

7 7. (a) No later than September first, two thousand twenty-six, and
8 each September first thereafter, each school district, charter school,
9 and board of cooperative educational services shall publish an annual
10 report on its website detailing enforcement of the policy within the
11 district, charter school, or board of cooperative educational services
12 in the prior school year, including non-identifiable demographic data of
13 students who have faced disciplinary action for non-compliance and anal-
14 ysis of any demographic disparities in enforcement of the policy. If a
15 statistically significant disparate enforcement impact is identified,
16 such report shall include a mitigation action plan.

17 (b) Each school district, charter school, and board of cooperative
18 educational services shall not permit the suspension of a student if the
19 sole grounds for the suspension is that the student accessed an inter-
20 net-enabled device in violation of the policy adopted and implemented
21 pursuant to subdivision two of this section.

22 § 2. This act shall take effect immediately.