

HOUSE AMENDMENTS TO HOUSE BILL 2251

By COMMITTEE ON EDUCATION

April 10

1 On page 1 of the printed bill, delete lines 4 through 30 and delete page 2 and insert:

2 “**SECTION 1.** ORS 336.840 is amended to read:

3 “336.840. *[(1) As used in this section, ‘independent communication’ means communication that does*
4 *not require assistance or interpretation by an individual who is not part of the communication but that*
5 *may require the use or assistance of an electronic device.]*

6 “*[(2) Each district school board shall adopt policies for the use of personal electronic devices in the*
7 *schools of the school district as provided by this section.]*

8 “*[(3) A district school board shall adopt a policy for the use of personal electronic devices that*
9 *support academic activities and independent communications. The policy must provide that:]*

10 “*[(a) Students may be allowed to use personal electronic devices that support academic activities*
11 *and independent communications.]*

12 “*[(b) Unless otherwise specifically prohibited by the policy, students may not be denied the oppor-*
13 *tunity to use a personal electronic device that supports academic activities and independent communi-*
14 *cations.]*

15 “*[(4) If a school district implements a curriculum that uses technology, the district school board*
16 *shall adopt a policy that provides that:]*

17 “*[(a) Students may be allowed, but are not required, to use their own personal electronic devices*
18 *for the curriculum.]*

19 “*[(b) Students who use their own personal electronic devices for the curriculum must be granted*
20 *access to any applications or electronic materials that are available to students who do not use their*
21 *own personal electronic devices for the curriculum.]*

22 “*[(c) Students who use their own personal electronic devices for the curriculum must be granted*
23 *access to applications and electronic materials free of charge if the applications and electronic materials*
24 *are provided free of charge to students who do not use their own personal electronic devices for the*
25 *curriculum.]*

26 “*[(5) A policy adopted under subsection (3) or (4) of this section must include a process and*
27 *timeline for responding to a student’s request related to the use of a personal electronic device, in-*
28 *cluding an appeals process.]*

29 “*[(6) School districts must ensure that the policies adopted under subsection (3) or (4) of this section*
30 *are made available to:]*

31 “*[(a) School district personnel whose duties may require them to assist students with personal*
32 *electronic devices; and]*

33 “*[(b) Students and parents or guardians of students.]*

34 “*[(7) Nothing in the requirements of this section prevents a district school board from*
35 *prohibiting:]*

1 “(a) Telephonic or electronic communications during regular school hours or during school events
2 if the communications are not related to academic activities or independent communications;]

3 “(b) Communications using access to social media or to nonacademic sites during regular school
4 hours or during school events;]

5 “(c) The use of personal electronic devices for any purpose that does not support academic activ-
6 ities or independent communications; or]

7 “(d) The use of personal electronic devices for entertainment purposes.]

8 “(8) Nothing in this section authorizes a district school board, or any employees of or volunteers
9 for the school district or a school of the school district, to request, require or compel access to a
10 student’s electronic mail or personal online accounts.]

11 **“(1) As used in this section:**

12 **“(a) ‘Personal electronic device’ means a portable, electrically powered device that is**
13 **capable of making and receiving calls and text messages and accessing the Internet inde-**
14 **pendently from the school’s network infrastructure.**

15 **“(b) ‘Personal electronic device’ does not include a laptop computer or other device re-**
16 **quired to support academic activities.**

17 **“(2) A district school board shall adopt a policy for the use of personal electronic devices**
18 **by students.**

19 **“(3) Except as provided by subsection (4) of this section, a policy adopted under this**
20 **section must prohibit the use of personal electronic devices by students from the start of**
21 **regular instructional hours until the end of regular instructional hours, including passing**
22 **time between classes and time provided for serving and eating meals.**

23 **“(4) A policy adopted under this section must provide for the use of a personal electronic**
24 **device by a student when the use complies with the terms of:**

25 **“(a) The student’s medical provider’s order for the care and treatment of a medical**
26 **condition;**

27 **“(b) The student’s individualized education program, as defined in ORS 343.035; or**

28 **“(c) An education plan developed for the student in accordance with section 504 of the**
29 **Rehabilitation Act of 1973, 29 U.S.C. 794.**

30 **“(5) The policy must provide consequences for a student’s violation of the prohibition**
31 **against the use of personal electronic devices under this section.**

32 **“(6) A school district shall ensure that the policy is made available to:**

33 **“(a) School district personnel; and**

34 **“(b) Students and parents or guardians of students.**

35 **“(7) A school district that does not comply with this section is considered nonstandard**
36 **under ORS 327.103.”.**

37