

Requested by Representative DOBSON

**PROPOSED AMENDMENTS TO
HOUSE BILL 2251**

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

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

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

8 “[2) *Each district school board shall adopt policies for the use of personal*
9 *electronic devices in the schools of the school district as provided by this sec-*
10 *tion.*]

11 “[3) *A district school board shall adopt a policy for the use of personal*
12 *electronic devices that support academic activities and independent communi-*
13 *cations. The policy must provide that:*]

14 “[a) *Students may be allowed to use personal electronic devices that sup-*
15 *port academic activities and independent communications.*]

16 “[b) *Unless otherwise specifically prohibited by the policy, students may*
17 *not be denied the opportunity to use a personal electronic device that supports*
18 *academic activities and independent communications.*]

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

21 “[a) *Students may be allowed, but are not required, to use their own per-*

1 *sonal electronic devices for the curriculum.]*

2 *“(b) Students who use their own personal electronic devices for the cur-*
3 *riculum must be granted access to any applications or electronic materials that*
4 *are available to students who do not use their own personal electronic devices*
5 *for the curriculum.]*

6 *“(c) Students who use their own personal electronic devices for the curric-*
7 *ulum must be granted access to applications and electronic materials free of*
8 *charge if the applications and electronic materials are provided free of charge*
9 *to students who do not use their own personal electronic devices for the cur-*
10 *riculum.]*

11 *“(5) A policy adopted under subsection (3) or (4) of this section must in-*
12 *clude a process and timeline for responding to a student’s request related to*
13 *the use of a personal electronic device, including an appeals process.]*

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

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

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

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

21 *“(a) Telephonic or electronic communications during regular school hours*
22 *or during school events if the communications are not related to academic ac-*
23 *tivities or independent communications;]*

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

26 *“(c) The use of personal electronic devices for any purpose that does not*
27 *support academic activities or independent communications; or]*

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

29 *“(8) Nothing in this section authorizes a district school board, or any em-*
30 *ployees of or volunteers for the school district or a school of the school district,*

1 *to request, require or compel access to a student's electronic mail or personal*
2 *online accounts.]*

3 **“(1) As used in this section:**

4 **“(a) ‘Personal electronic device’ means a portable, electrically**
5 **powered device that is capable of making and receiving calls and text**
6 **messages and accessing the Internet independently from the school’s**
7 **network infrastructure.**

8 **“(b) ‘Personal electronic device’ does not include a laptop computer**
9 **or other device required to support academic activities.**

10 **“(2) A district school board shall adopt a policy for the use of per-**
11 **sonal electronic devices by students.**

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

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

20 **“(a) The student’s medical provider’s order for the care and treat-**
21 **ment of a medical condition;**

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

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

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

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

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

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

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

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