

SENATE, No. 3695

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED SEPTEMBER 30, 2024

Sponsored by:

Senator PAUL D. MORIARTY

District 4 (Atlantic, Camden and Gloucester)

Senator KRISTIN M. CORRADO

District 40 (Bergen, Essex and Passaic)

SYNOPSIS

Requires cell phone and social media policy to be developed by DOE and adopted in schools.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning student use of cell phones and social media
2 platforms and supplementing chapter 36 of Title 18A of the New
3 Jersey Statutes.

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5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

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8 1. a. To assist school districts in developing policies
9 concerning student use of cell phones and social media platforms
10 during regular school hours, on a school bus, or during school-
11 sanctioned events when the student is under the direct supervision
12 of a teaching staff member or employee of the board of education,
13 the Commissioner of Education shall develop a policy applicable to
14 students enrolled in grades kindergarten through 12. The policy
15 shall be issued no later than 90 days after the effective date of this
16 act.

17 b. The policy shall, at a minimum:

18 (1) provide age appropriate and grade-level differentiated
19 policies concerning limiting and prohibiting student use of cell
20 phones and social media platforms;

21 (2) prohibit non-academic use of a cell phone or social media
22 during classroom instruction;

23 (3) be consistent with State and federal law, including
24 accommodations provided in a student's Individualized Education
25 Program or educational plan established pursuant to the
26 "Individuals with Disabilities Education Act," 20 U.S.C. s.1400 et
27 seq., or section 504 of the "Rehabilitation Act of 1973,"
28 29 U.S.C. s.794;

29 (4) permit student use of cell phones in the case of an emergency
30 or in response to a perceived threat of danger;

31 (5) permit student use of cell phones upon submission by a
32 parent or guardian of documentation from a health care professional
33 indicating that the use of a cell phone is necessary for the health or
34 well-being of the student;

35 (6) address smartphones, cell phones with only text or voice, and
36 other relevant devices, including smart watches;

37 (7) list options that may be utilized by a school district for cell
38 phone storage, including locked pouches and cell phone lockers;

39 (8) provide guidance for a school district to establish network-
40 based restrictions to prevent the use of, or access to, social media
41 platforms; and

42 (9) detail protocols for communicating the district's policy
43 concerning student use of cell phones and social media platforms to
44 students, their families, and teaching staff members.

45 c. The policy shall promote student learning and well-being. In
46 developing the policy, the commissioner shall involve stakeholders
47 to ensure that the policies are responsive to the needs of students,
48 parents, and teaching staff members.

1 d. A board of education shall, except as otherwise exempt
2 pursuant to subsection e. of this section, adopt a policy concerning
3 student use of cell phones and social media platforms during regular
4 school hours, on a school bus, or during school-sanctioned events
5 when the student is under the direct supervision of a teaching staff
6 member or employee of the board of education. The policy shall be
7 consistent with the policy developed pursuant to subsection a. of
8 this section.

9 e. The commissioner may, upon submission of an application to
10 the commissioner in a manner and form to be determined by the
11 commissioner, exempt a board of education from the requirements
12 of subsection d. of this section.

13 f. Nothing in this section shall be construed to prevent a school
14 district from adopting a policy on the use of cell phones and social
15 media platforms by students enrolled in the district that is more
16 stringent than the policy developed by the commissioner pursuant to
17 subsection a. of this section.

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19 2. This act shall take effect immediately and shall first apply to
20 the first full school year next following the date of enactment.

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STATEMENT

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25 This bill requires the Commissioner of Education to develop a
26 policy concerning student use of cell phones and social media and
27 requires a board of education to adopt a policy concerning student
28 use of cell phones and social media.

29 Under the bill, the commissioner is to develop a policy
30 applicable to students enrolled in grades kindergarten through 12
31 concerning student use of cell phones and social media platforms
32 during regular school hours, on a school bus, or during school-
33 sanctioned events when the student is under the direct supervision
34 of a teaching staff member or employee of the board of education.

35 The policy is to, at a minimum, (1) provide age appropriate and
36 grade-level differentiated policies concerning limiting and
37 prohibiting student use of cell phones and social media platforms;
38 (2) prohibit non-academic use of a cell phone or social media
39 during classroom instruction; (3) be consistent with State and
40 federal law including accommodations provided in a student's
41 Individualized Education Program or educational plan; (4) permit
42 student use of cell phones in the case of an emergency or in
43 response to a perceived threat of danger; (5) permit student use of
44 cell phones upon submission by a parent or guardian of
45 documentation from a health care professional indicating that the
46 use of a cell phone is necessary for the health or well-being of the
47 student; (6) address smartphones, cell phones with only text or
48 voice, and other relevant devices, including smart watches; (7) list

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1 options that may be utilized by a school district for cell phone
2 storage, including locked pouches and cell phone lockers; (8)
3 provide guidance for a school district to establish network-based
4 restrictions to prevent the use of, or access to, social media
5 platforms; and (9) detail protocols for communicating the district's
6 policy concerning student use of cell phones and social media
7 platforms to students, their families, and teaching staff members.

8 The bill also requires each board of education to adopt a policy
9 concerning student use of cell phones and social media platforms
10 during regular school hours, on a school bus, or during school-
11 sanctioned events when the student is under the direct supervision
12 of a teaching staff member or employee of the board of education.
13 The policy is to be consistent with the policy developed by the
14 commissioner.

15 Additionally, the bill permits the commissioner to grant an
16 exemption to a board of education for the requirement to adopt the
17 policy upon submission of an application by the board.