

HOUSE BILL 192

F1

5lr0679

(PRE-FILED)

By: **Delegate Mangione**

Requested: August 13, 2024

Introduced and read first time: January 8, 2025

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **County Boards of Education – Student Cellular Phone Use Policy – Established**
3 **(No Distracted Learning Act)**

4 FOR the purpose of requiring county boards of education to adopt a policy that prohibits
5 students from using a cellular phone during certain school hours except under
6 certain circumstances; and generally relating to student cellular phone use policies
7 and county boards of education.

8 BY adding to

9 Article – Education

10 Section 7–136

11 Annotated Code of Maryland

12 (2022 Replacement Volume and 2024 Supplement)

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

15 **Article – Education**

16 **7–136.**

17 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**
18 **INDICATED.**

19 **(2) “INSTRUCTIONAL TIME” MEANS ANY TIME DURING THE SCHOOL**
20 **DAY, EXCLUDING A STUDENT’S LUNCH PERIOD.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(3) "PASSING PERIOD" MEANS THE TIME PERIOD BEFORE AND**
2 **BETWEEN CLASSES WHEN STUDENTS WALK THROUGH THE SCHOOL BUILDING OR**
3 **SCHOOL GROUNDS TO MOVE FROM ONE CLASS TO ANOTHER.**

4 **(B) EACH COUNTY BOARD SHALL ADOPT A POLICY PROHIBITING STUDENTS**
5 **FROM USING A CELLULAR PHONE DURING SCHOOL HOURS IN ACCORDANCE WITH**
6 **THE REQUIREMENTS OF THIS SECTION.**

7 **(C) (1) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION,**
8 **THE STUDENT CELLULAR PHONE USE POLICY FOR ELEMENTARY AND MIDDLE**
9 **SCHOOL STUDENTS SHALL PROHIBIT THE USE OR DISPLAY OF A CELLULAR PHONE**
10 **DURING:**

11 **(I) INSTRUCTIONAL TIME;**

12 **(II) THE STUDENT'S LUNCH PERIOD; AND**

13 **(III) IF APPLICABLE, A PASSING PERIOD.**

14 **(2) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION,**
15 **THE STUDENT CELLULAR PHONE USE POLICY FOR HIGH SCHOOL STUDENTS SHALL**
16 **PROHIBIT THE USE AND DISPLAY OF A CELLULAR PHONE DURING:**

17 **(I) INSTRUCTIONAL TIME; AND**

18 **(II) A PASSING PERIOD.**

19 **(3) A POLICY ADOPTED UNDER THIS SECTION MAY NOT PROHIBIT A**
20 **STUDENT WITH AN INDIVIDUALIZED EDUCATION PROGRAM, A SECTION 504 PLAN,**
21 **OR ANY OTHER DOCUMENTED HEALTH ISSUE THAT REQUIRES THE USE OF AN**
22 **ELECTRONIC DEVICE FROM USING THE STUDENT'S CELLULAR PHONE FOR THAT**
23 **PURPOSE.**

24 **(D) (1) A STUDENT IN VIOLATION OF A POLICY ESTABLISHED UNDER THIS**
25 **SECTION IS SUBJECT TO:**

26 **(I) FOR A FIRST VIOLATION, A WARNING;**

27 **(II) FOR A SECOND VIOLATION, CONFISCATION OF THE**
28 **CELLULAR PHONE; AND**

29 **(III) FOR ANY SUBSEQUENT VIOLATIONS, A DISCIPLINARY**
30 **ACTION ESTABLISHED BY THE COUNTY BOARD.**

1 **(2) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS**
2 **PARAGRAPH, A CELLULAR PHONE CONFISCATED FROM A STUDENT IN ACCORDANCE**
3 **WITH PARAGRAPH (1) OF THIS SUBSECTION MUST BE RETRIEVED BY THE STUDENT'S**
4 **PARENT OR GUARDIAN.**

5 **(II) IF A STUDENT'S PARENT OR GUARDIAN NOTIFIES THE**
6 **SCHOOL THAT THE PARENT OR GUARDIAN IS UNABLE TO RETRIEVE THE STUDENT'S**
7 **CONFISCATED CELLULAR PHONE, THE SCHOOL SHALL RETURN THE CELLULAR**
8 **PHONE TO THE STUDENT AT THE END OF THE SCHOOL DAY.**

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