

INTERIM STUDY PROPOSAL 2015-158

1 State of Arkansas
2 90th General Assembly
3 Second Extraordinary Session, 2015

A Bill

DRAFT PIL/PIL
HOUSE BILL

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5
6 By: Representative K. Hendren

7 Filed with: Arkansas Legislative Council
8 pursuant to A.C.A. §10-3-217.

9 **For An Act To Be Entitled**

10 AN ACT TO REGULATE THE USE OF A PORTABLE ELECTRONIC
11 DEVICE IN A PUBLIC SCHOOL; TO ESTABLISH A SECURE,
12 DESIGNATED AREA WITHIN A SCHOOL WHERE A STUDENT WILL
13 DEPOSIT HIS OR HER PERSONAL ELECTRONIC DEVICE DURING
14 THE SCHOOL DAY; AND FOR OTHER PURPOSES.

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17 **Subtitle**

18 TO REGULATE THE USE OF A PORTABLE
19 ELECTRONIC DEVICE IN A PUBLIC SCHOOL; AND
20 TO ESTABLISH A SECURE, DESIGNATED AREA
21 WITHIN A SCHOOL WHERE A STUDENT WILL
22 DEPOSIT HIS OR HER PERSONAL ELECTRONIC
23 DEVICE DURING THE SCHOOL DAY.

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26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

27
28 SECTION 1. Arkansas Code Title 6, Chapter 10, Subchapter 1, is amended
29 to add an additional section to read as follows:

30 6-10-130. Personal electronic devices prohibited during the school
31 day.

32 (a) As used in this section, "personal electronic device" means
33 without limitation a:

- 34 (1) Cellular telephone;
- 35 (2) Paging device;
- 36 (3) Beeper;

1 (4) Mobile telephone that offers advanced computing and Internet
2 accessibility;

3 (5) Digital media player;

4 (6) Portable game console;

5 (7) Digital camera; and

6 (8) Digital video or audio recorder.

7 (b)(1) A school district shall prohibit students from possessing or
8 using a personal electronic device during the school day.

9 (2)(A) A school district may permit a student to possess or use
10 a personal electronic device in the case of an emergency.

11 (B) A student's possession or use of a personal electronic
12 device under subdivision (b)(2)(A) of this section shall be permitted only
13 for the duration of the emergency.

14 (c) A school district shall establish within each school in the school
15 district a secure, designated area for a student to:

16 (1) Deposit his or her portable electronic device upon arriving
17 at school for the school day; and

18 (2) Retrieve his or her portable electronic device at the end of
19 the school day.

20 (d) A student's portable electronic device that is not deposited in
21 the secure, designated area at the beginning of the school day is subject to
22 forfeiture.

23 (e) The State Board of Education shall promulgate rules to implement
24 this section.

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26 SECTION 2. Arkansas Code § 6-18-515 is repealed.

27 ~~6-18-515. Use of personal electronic devices.~~

28 ~~(a) As used in this section, "personal electronic device" means without~~
29 ~~limitation a:~~

30 ~~(1) Cellular telephone;~~

31 ~~(2) Paging device;~~

32 ~~(3) Beeper;~~

33 ~~(4) Mobile telephone that offers advanced computing and Internet~~
34 ~~accessibility;~~

35 ~~(5) Digital media player;~~

36 ~~(6) Portable game console;~~

- ~~(7) Tablet, notebook, or laptop computer;~~
- ~~(8) Digital camera; and~~
- ~~(9) Digital video or audio recorder.~~

~~(b) A school district may establish a written student discipline policy and exemptions concerning the possession and use by a student of a personal electronic device:~~

- ~~(1) On school property;~~
- ~~(2) At an after-school activity; or~~
- ~~(3) At a school-related function.~~

~~(c) The policy may, without limitation:~~

- ~~(1) Allow or restrict the possession and use of a personal electronic device;~~
- ~~(2) Allow the use of a personal electronic device in school for instructional purposes at the discretion of a teacher or administrator;~~
- ~~(3) Limit the times or locations in which a personal electronic device may be used to make telephone calls, send text messages or emails, or engage in other forms of communication;~~
- ~~(4) Allow or prohibit the use of any photographic, audio, or video recording capabilities of a personal electronic device while in school;~~
- ~~(5) Exempt the possession or use of a personal electronic device by a student who is required to use such a device for health or another compelling reason;~~
- ~~(6) Exempt the possession or use of a personal electronic device after normal school hours for extracurricular activities; and~~
- ~~(7) Include other relevant provisions deemed appropriate and necessary by the school district.~~

Referral requested by: Representative Kim Hendren

Prepared by: PIL