

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

A Bill

DRAFT PIL/PIL
HOUSE BILL

By: Representative K. Hendren

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

For An Act To Be Entitled

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

Subtitle

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

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

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

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

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

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

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

(5) Digital media player;

(6) Portable game console;

(7) Digital camera; and

(8) Digital video or audio recorder.

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

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

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

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

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

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

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

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

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 Arkansas Code § 6-18-515 is repealed.

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

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

~~(1) Cellular telephone;~~

~~(2) Paging device;~~

~~(3) Beeper;~~

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

~~(5) Digital media player;~~

~~(6) Portable game console;~~

1 ~~(7) Tablet, notebook, or laptop computer;~~

2 ~~(8) Digital camera; and~~

3 ~~(9) Digital video or audio recorder.~~

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

7 ~~(1) On school property;~~

8 ~~(2) At an after school activity; or~~

9 ~~(3) At a school related function.~~

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

11 ~~(1) Allow or restrict the possession and use of a personal~~
12 ~~electronic device;~~

13 ~~(2) Allow the use of a personal electronic device in school for~~
14 ~~instructional purposes at the discretion of a teacher or administrator;~~

15 ~~(3) Limit the times or locations in which a personal electronic~~
16 ~~device may be used to make telephone calls, send text messages or emails, or~~
17 ~~engage in other forms of communication;~~

18 ~~(4) Allow or prohibit the use of any photographic, audio, or~~
19 ~~video recording capabilities of a personal electronic device while in school;~~

20 ~~(5) Exempt the possession or use of a personal electronic device~~
21 ~~by a student who is required to use such a device for health or another~~
22 ~~compelling reason;~~

23 ~~(6) Exempt the possession or use of a personal electronic device~~
24 ~~after normal school hours for extracurricular activities; and~~

25 ~~(7) Include other relevant provisions deemed appropriate and~~
26 ~~necessary by the school district.~~

27
28
29 Referral requested by: Representative Kim Hendren

30 Prepared by: PIL