

Part 8. Miscellaneous Requirements.

**§ 115C-76.100. Regulation of wireless communication devices.**

- (a) The following definitions apply in this section:
- (1) Wireless communication device. – Any portable wireless device that has the capability to provide voice, messaging, or other data communication between two or more parties, including the following:
    - a. Cellular telephones.
    - b. Tablet computers.
    - c. Laptop computers.
    - d. Paging devices.
    - e. Two-way radios.
    - f. Gaming devices.
  - (2) Wireless communication policy. – A policy governing the use of wireless communication devices by students.

(b) The governing body of a public school unit shall establish a wireless communication policy. At a minimum, except as permitted in subsection (c) of this section, the policy shall prohibit students from using, displaying, or having a wireless communication device turned on during instructional time.

(c) A wireless communication policy shall allow student use of a wireless communication device during instructional time as follows:

- (1) If authorized by a teacher for educational purposes or for use in the event of an emergency. The governing body may establish parameters to be followed by a teacher in granting authorizations.
- (2) As required by the student's individualized education program or section 504 (29 U.S.C. § 794) plan.
- (3) As required to manage a student's health care, in accordance with a documented medical condition.

(d) The governing body shall establish the consequences for violations of the wireless communication policy, which may include confiscation of the wireless communication device and disciplinary measures under the public school unit's Code of Student Conduct.

(e) No later than September 1 of the year in which this section becomes effective [2025], every public school unit shall send to the Department of Public Instruction a copy of the public school unit's wireless communication policy. The public school unit shall provide the Department of Public Instruction with a copy of the wireless communication policy anytime it is changed. No later than October 1 of each year, the Department of Public Instruction shall report to the Joint Legislative Education Oversight Committee the number of public school units that are in compliance with this section and the name of any public school unit which is not in compliance with this section. (2025-38, s. 3(a).)