

2012 -- H 7167

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LC00643
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2012

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A N A C T

RELATING TO EDUCATION -- CELL PHONES IN SCHOOL

Introduced By: Representatives Petrarca, Winfield, O'Neill, Brien, and Palumbo

Date Introduced: January 18, 2012

Referred To: House Health, Education & Welfare

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 16-21 of the General Laws entitled "Health and Safety of Pupils" is
2 hereby amended by adding thereto the following section:

3 **16-21-35. Texting in school restricted.** -- (a) The Rhode Island department of
4 elementary and secondary education shall prescribe by regulation a statewide policy restricting
5 texting during school hours. For purposes of this section, "school hours" shall mean those hours
6 which encompass the period when classes are normally in session at the school and for which
7 students are to be in attendance, as well as such ancillary times that are part of the traditional
8 school day, including, but not limited to, homeroom, study hall periods, lunch and recess.

9 (b) The statewide policy shall apply to all schools that are approved and accredited by the
10 board of regents for elementary and secondary education, pursuant to of subdivision 16-60-4(10)
11 and shall contain the following:

12 (1) The definition of and statement(s) prohibiting texting, except in an emergency of
13 health and/or safety and except for educational or instructional purposes, with prior approval from
14 school administration.

15 (2) A provision that states disciplinary actions for violations of the texting policy shall be
16 determined by the school's appropriate authority; however, no student shall be suspended from
17 school solely based upon a violation of this texting policy.

18 (3) A provision stating that no cell phone shall be taken from the student for a period
19 beyond the school day of the offense.

1 (4) A provision stating that school officials cannot view the contents of a cell phone
2 unless authorized by law or unless said official has a reasonable belief that the cell phone was
3 used to violate another school policy, such as cheating or bullying and only to the extent
4 necessary to verify the existence of the specific text at issue.

5 (c) All schools that are approved and accredited pursuant to subdivision 16-60-4(10) for
6 the purpose of section 16-19-1 shall be subject to the requirements of this section. School districts
7 and schools must adopt the statewide texting policy promulgated pursuant to this subsection by
8 June 31, 2013.

9 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO EDUCATION -- CELL PHONES IN SCHOOL

- 1 This act would require the department of elementary and secondary education to adopt a
- 2 statewide policy prohibiting texting during school hours, except in certain circumstances.
- 3 This act would take effect upon passage.

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