

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By  
\_\_\_\_\_

1 AMEND House Bill No. 416, Page 7, Section 160.663, Line 49, by inserting after all of the said  
2 section and line the following:

3  
4 "162.207. 1. As used in this section, "electronic personal communications device" means a  
5 portable device that is used to initiate, receive, store, or view communication, information, images,  
6 or data electronically.

7 2. (1) For the 2026-27 school year and all subsequent school years, each school district and  
8 charter school governing board shall adopt a written policy governing a student's possession or use  
9 of an electronic personal communications device.

10 (2) Such school district or governing board shall develop and design such policy to promote  
11 the educational interests of students and to provide a safe and effective working environment for  
12 school employees and volunteers.

13 3. Such policy shall, at a minimum:

14 (1) Prohibit a student from displaying or using an electronic personal communications  
15 device during regularly scheduled instructional time, provided that such policy includes the  
16 definition of instructional time;

17 (2) Describe the disciplinary procedures, process, and measures that will be taken if a  
18 student violates the policy; and

19 (3) (a) Provide exceptions to the prohibition that allow the use of an electronic personal  
20 communications device by a student when the use of such device is required during regularly  
21 scheduled instructional activities for the following:

22 a. An individualized education program, or IEP, as such term is defined in 20 U.S.C. Section  
23 1401, as amended;

24 b. A 504 plan created under Section 504 of the federal Rehabilitation Act of 1973, 29 U.S.C.  
25 Section 794, as amended;

26 c. An individualized emergency health care plan or an individualized health care plan  
27 established under section 167.625;

28 d. The Americans with Disabilities Act, 42 U.S.C. Section 12101 et seq., as amended;

29 e. The Rehabilitation Act of 1973, 29 U.S.C. Section 701 et seq., as amended;

30 f. The federal Civil Rights Act of 1964; or

Action Taken \_\_\_\_\_ Date \_\_\_\_\_

1           g. The federal Equal Educational Opportunities Act of 1974, 20 U.S.C. Section 1701 et seq.,  
2 regarding English language learners, as such term is defined in 29 U.S.C. Section 3102, as amended.

3           (b) Such exceptions may include when the use of such device is allowable for the following:

4           a. In the case of an emergency;

5           b. When directed to use such device for an educational purpose with authorization as  
6 directed by established board policies; and

7           c. During noninstructional school activities such as school-sponsored field trips,  
8 transportation, or other noninstructional school activities.

9           4. Each school district and charter school governing board shall publish the policy upon  
10 demand.

11           5. A school district or charter school employee or volunteer shall be held harmless and  
12 immune from any liability for actions taken under this section if such employee or volunteer acts in  
13 good faith and follows the proper disciplinary procedures and measures adopted under this section  
14 by the school board or charter school governing board."; and

15  
16 Further amend said bill by amending the title, enacting clause, and intersectional references  
17 accordingly.