

2011 -- S 764 SUBSTITUTE A AS AMENDED

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LC01584/SUB A
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2011

A N A C T

RELATING TO EDUCATION -- CELL PHONES IN SCHOOL

Introduced By: Senator John J. Tassoni

Date Introduced: March 24, 2011

Referred To: Senate Education

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 **16-21-33. 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 for the purpose of
10 section 16-19-1 and shall contain the following:

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

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

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

19 (4) A provision stating that school officials cannot view the contents of a cell phone

1 unless authorized by law or unless said official has a reasonable belief that the cell phone was
2 used during school hours to violate another school policy, such as cheating or bullying and only
3 to the extent necessary to verify the existence of the specific text at issue.

4 (c) All schools that are approved for the purpose of section 16-19-1 shall be subject to the
5 requirements of this section. School districts and schools must adopt the statewide texting policy
6 promulgated pursuant to this section by June 31, 2012.

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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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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Presented by