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## FISCAL IMPACT REPORT

<b>SPONSOR</b> <u>Senate Finance Committee</u>	<b>LAST UPDATED</b> <u>3/21/25</u>	<b>ORIGINAL DATE</b> <u>1/28/25</u>
		<u>CS/Senate Bill</u>
<b>SHORT TITLE</b> <u>Anti-Distracted Policy in Schools</u>	<b>BILL NUMBER</b> <u>11/SFCS/aSF1#1</u>	<u>aHJC/aHF1#1</u>
	<b>ANALYST</b> <u>Mabe/Liu</u>	

### ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT\* (dollars in thousands)

Agency/Program	FY25	FY26	FY27	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
	No fiscal impact					

### Sources of Information

LFC Files  
 Legislative Education Study Committee (LESC) Files  
 National Conference of State Legislatures (NCSL)  
 Centers for Disease Control and Prevention (CDC)

#### Agency Analysis Received From

Public School Insurance Authority (NMPSIA)  
 Early Childhood Education and Care Department (ECECD)

#### Agency Analysis was Solicited but Not Received From

Public Education Department (PED)  
 Regional Education Cooperatives (REC)  
 Human Services Department (HSD)

#### Agency Declined to Respond

Public School Facilities Authority (PSFA)  
 Department of Information Technology (DoIT)

## SUMMARY

### Synopsis of HFI#1 Amendment to Senate Bill 11

The House Floor #1 amendment to Senate Bill 11 (SB11) restructures the provisions concerning allowable uses of wireless communication devices during instructional hours. The amendment removes the mention of “a wireless communication device” from the general clause on accessibility and details two permissible categories—assistive technologies, such as text-to-speech and speech-to-text, and wireless communication devices. This change clarifies and emphasizes that wireless communication devices are not themselves assistive technology and must be handled as a separate exception.

## **Synopsis of HJC Amendment to SFC Substitute for Senate Bill 11**

The House Judiciary Committee amendment to Senate Finance Committee substitute for Senate Bill 11 (SB11) modifies the bill’s language to explicitly include assistive technologies that support communication, navigation, or learning, such as text-to-speech and speech-to-text, for students with an individualized education program.

## **Synopsis of SFI#1 Amendment to SFC Substitute for Senate Bill 11**

The Senate Floor #1 amendment to Senate Finance Committee substitute for Senate Bill 11 modifies the language regarding the Public Education Department’s minimum requirements for wireless communication device policies, changing “shall” to “may.” This change grants school districts and charter schools greater flexibility in implementing these policies.

## **Synopsis of SFC Substitute for Senate Bill 11**

The Senate Finance Committee substitute for Senate Bill 11 (SB11) requires that each school district and charter school adopt wireless communication device policies for students and that the Public Education Department (PED) provide policy guidelines. The bill mandates that policies are implemented by August 1, 2025.

## **FISCAL IMPLICATIONS**

This bill has no fiscal impact as schools are only developing and adopting a wireless communication device policy.

## **SIGNIFICANT ISSUES**

National surveys suggest nearly all students, 97 percent, between the ages of 11 and 17 use their phones during school hours. While there is some evidence that when used appropriately, cell phones can aid learning, multiple studies have shown the negative effects of cellphones in classrooms on mental health, bullying, and teaching and learning, according to NCSL.

The federal Centers for Disease Control and Prevention youth risk behavior surveillance system reports 77 percent of students use social media frequently, which has been associated with suicide risk, bullying, negative body image, poor sleep, and feelings of sadness and hopelessness. The 2024 U.S. Surgeon General advisory on social media and mental health recommends policymakers take steps to strengthen safety standards and limit access in ways that make social media safer for children of all ages.

According to the Pew Research Center, most elementary and secondary schools have a cell phone policy, but because they are difficult to enforce, they are often not effective. Since 2023, legislation to regulate cell phone use has been introduced in at least 27 states.

While there is some research on the effects of cell phone bans, a review of nearly two dozen studies in the Journal of Psychologists and Counsellors in Schools found that results across these studies were inconclusive. The authors suggest that more rigorous studies are needed to better understand the effects of cell phone bans.

The bill stipulates that PED’s guidelines for a wireless communication device policy will allow school districts and charter schools to:

- Prohibit wireless device use during instructional hours.
- Allow teachers to permit students to use devices for instructional purposes.
- Permit students to use devices during an emergency.
- Permit use of device for accessibility purposes.
- Provide protections for student privacy.
- Allow use of devices during noninstructional time.
- Provide consequences for violating the policy.

## **ADMINISTRATIVE IMPLICATIONS**

PED will need to develop guidance to provide to schools on wireless communication device policies.

## **OTHER SUBSTANTIVE ISSUES**

In 2023, House Bill 401 renamed the Technology for Education Act as the Digital Equity in Education Act. It also required schools to develop an educational equity plan and reestablished the Council on Technology in Education. The council could possibly be a supportive entity in helping school districts and charter schools create anti-distraction policies.

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