

FIRST REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NOS. 408, 306 & 854
103RD GENERAL ASSEMBLY

1294H.03C

JOSEPH ENGLER, Chief Clerk

AN ACT

To amend chapter 162, RSMo, by adding thereto one new section relating to student electronic personal communications device usage.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 162, RSMo, is amended by adding thereto one new section, to be known as section 162.207, to read as follows:

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

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

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

3. Such policy shall, at a minimum:

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

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

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

EXPLANATION — Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

- 19 a. An individualized education program, or IEP, as such term is defined in 20
20 U.S.C. Section 1401, as amended;
- 21 b. A 504 plan created under Section 504 of the federal Rehabilitation Act of
22 1973, 29 U.S.C. Section 794, as amended;
- 23 c. An individualized emergency health care plan or an individualized health care
24 plan established under section 167.625;
- 25 d. The Americans with Disabilities Act, 42 U.S.C. Section 12101 et seq., as
26 amended;
- 27 e. The Rehabilitation Act of 1973, 29 U.S.C. Section 701 et seq., as amended;
- 28 f. The federal Civil Rights Act of 1964; or
- 29 g. The federal Equal Educational Opportunities Act of 1974, 20 U.S.C. Section
30 1701 et seq., regarding English language learners, as such term is defined in 29 U.S.C.
31 Section 3102, as amended.
- 32 (b) Such exceptions may include when the use of such device is allowable for the
33 following:
- 34 a. In the case of an emergency;
- 35 b. When directed to use such device for an educational purpose with
36 authorization as directed by established board policies; and
- 37 c. During noninstructional school activities such as school-sponsored field trips,
38 transportation, or other noninstructional school activities.
- 39 4. Each school district and charter school governing board shall publish the
40 policy upon demand.
- 41 5. A school district or charter school employee or volunteer shall be held
42 harmless and immune from any liability for actions taken under this section if such
43 employee or volunteer acts in good faith and follows the proper disciplinary procedures
44 and measures adopted under this section by the school board or charter school
45 governing board.

✓