

**SUBSTITUTE FOR
HOUSE BILL NO. 4141**

A bill to amend 1976 PA 451, entitled
"The revised school code,"
(MCL 380.1 to 380.1852) by adding section 1303a; and to repeal acts
and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 **Sec. 1303a. (1) Subject to subsection (3), the board of a**
2 **school district or board of directors of a public school academy**
3 **shall implement a wireless communications device policy for**
4 **students who are enrolled in elementary school or middle school**
5 **that prohibits those students from using a wireless communications**
6 **device on school grounds during all of the following, as**
7 **applicable:**

8 **(a) Instructional time.**



1 (b) Breaks between instructional time.

2 (c) Lunch.

3 (d) Recess.

4 (2) The board of a school district or board of directors of a
5 public school academy shall implement a wireless communications
6 device policy for students who are enrolled in high school that
7 prohibits those students from using a wireless communications
8 device on school grounds during instructional time.

9 (3) If a school enrolls students from multiple grade levels as
10 described in subsections (1) and (2), that school satisfies the
11 requirements of this section by implementing a wireless
12 communications device policy that prohibits students from using a
13 wireless communications device on school grounds during
14 instructional time.

15 (4) The board of a school district or the board of directors
16 of a public school academy may implement additional restrictions
17 regarding the use of wireless communications devices.

18 (5) A wireless communications device policy implemented under
19 this section must provide details regarding enforcement mechanisms
20 that the school will use to achieve the goals of the policy.

21 (6) A wireless communications device policy implemented under
22 this section must provide exemptions for all of the following:

23 (a) Medically necessary devices.

24 (b) District-owned devices, including, but not limited to,
25 school-issued tablets and laptops.

26 (c) Devices designated by the district to be used for
27 instructional purposes.

28 (d) Devices used for special education programming or devices
29 provided as an accommodation to students as required under section



1 504 of title V of the rehabilitation act of 1973, 29 USC 794, or as
2 part of an individualized education plan under title II of the
3 Americans with disabilities act of 1990, 42 USC 12131 to 12165.

4 (e) Lesson-specific academic assignments, at the limited and
5 direct discretion of a classroom teacher.

6 (f) Emergency situations, as described in an emergency
7 operations plan developed under section 1308b. Use of a wireless
8 communications device under this subdivision must not interfere
9 with school emergency protocols or the actions of first responders,
10 and must not endanger students or faculty.

11 (7) The board of a school district or board of directors of a
12 public school academy shall post the wireless communications device
13 policy implemented under this section on the school district's or
14 public school academy's website.

15 (8) As used in this section:

16 (a) "Basic telephone" means a device primarily used for voice
17 calling that cannot support third-party applications, except those
18 preinstalled, and does not support access to internet platforms via
19 applications or web browsers.

20 (b) "School grounds" means a building, playing field, or
21 property used for school purposes to impart instruction to children
22 or used for functions and events sponsored by a school. School
23 grounds does not include a building used primarily for adult
24 education or college extension courses.

25 (c) "Wireless communications device" means an electronic
26 device capable of, but not limited to, text messaging, voice
27 communication, entertainment, navigation, accessing the internet,
28 sending and receiving photos and videos, or producing email.
29 Wireless communications device does not include a basic telephone.



1 Enacting section 1. Section 1303 of the revised school code,
2 1976 PA 451, MCL 380.1303, is repealed.

