

## **“Distraction-Free Schools” Law**

43 § 2803. Use of internet-enabled devices during the school day. 1. For  
44 purposes of this section:

45 (a) "Internet-enabled devices" shall mean and include any smartphone,  
46 tablet, smartwatch, or other device capable of connecting to the inter-  
47 net and enabling the user to access content on the internet, including  
48 social media applications; provided, however, that "internet-enabled  
49 devices" shall not include:

50 (i) non-internet-enabled devices such as cellular phones or other  
51 communication devices not capable of connecting to the internet or  
52 enabling the user to access content on the internet; or

1 (ii) internet-enabled devices supplied by the school district, charter  
2 school, or board of cooperative educational services that are used for  
3 an educational purpose.

4 (b) "School day" shall mean the entirety of every instructional day as  
5 required by subdivision seven of section thirty-six hundred four of this  
6 chapter during all instructional time and non-instructional time,  
7 including but not limited to homeroom periods, lunch, recess, study  
8 halls, and passing time.

9 (c) "School grounds" shall mean in or on or within any building,  
10 structure, athletic playing field, playground, or land contained within  
11 the real property boundary line of a district elementary, intermediate,  
12 junior high, vocational, or high school, a charter school, or a board of  
13 cooperative educational services facility.

14 2. Notwithstanding paragraph b of subdivision one of section twenty-  
15 eight hundred fifty-four of this chapter, each school district, charter  
16 school, and board of cooperative educational services shall adopt a  
17 written policy prohibiting the use of internet-enabled devices by  
18 students during the school day anywhere on school grounds. Each school  
19 district, charter school, and board of cooperative educational services  
20 shall consult local stakeholders, including but not limited to the  
21 employee organization representing each bargaining unit within the  
22 school building, parents, and students, in the development of such poli-  
23 cy prior to its adoption.

### **Definitions**

#### **“Internet-enabled devices” defined**

#### **Allowable devices specified**

#### **“School Day” defined**

#### **“School grounds” defined**

#### **School districts, BOCES, and charter schools to adopt a policy prohibiting student use during school day on school grounds and to consult with local stakeholders in developing policy**

24 3. The policy adopted and implemented pursuant to subdivision two of  
25 this section shall include one or more methods for persons in parental  
26 relation to a student to contact the student during the school day and  
27 provide for written notification to such persons in parental relation to  
28 a student of these methods at the beginning of each school year and upon  
29 enrollment.

30 4. The policy adopted and implemented pursuant to subdivision two of  
31 this section shall include one or more methods for on-site storage where  
32 students may store their internet-enabled devices during the school day,  
33 which may include student lockers.

34 5. (a) The policy adopted and implemented pursuant to subdivision two  
35 of this section may authorize student use of an internet-enabled device  
36 during the school day on school grounds:

37 (i) if authorized by a teacher, principal, or the school district,  
38 charter school, or board of cooperative educational services for a  
39 specific educational purpose;

40 (ii) where necessary for the management of a student's healthcare;

41 (iii) in the event of an emergency;

42 (iv) for translation services;

43 (v) on a case-by-case basis, upon review and determination by a school  
44 psychologist, school social worker, or school counselor, for a student  
45 caregiver who is routinely responsible for the care and wellbeing of a  
46 family member; or

47 (vi) where required by law.

48 (b) The policy may not prohibit a student's use of an internet-enabled  
49 device where such use is included in the student's:

50 (i) individualized education program; or

51 (ii) plan developed pursuant to section five hundred four of the  
52 federal rehabilitation act of 1973, 29 U.S.C. 794.

53 6. No later than August first, two thousand twenty-five, each school  
54 district, charter school, and board of cooperative educational services  
55 shall adopt and publish in a clearly visible and accessible location on  
56 its website the internet-enabled device policy established pursuant to  
1 subdivision two of this section. Translation of such policy into any of  
2 the twelve most common non-English languages spoken by limited-English  
3 proficient individuals in the state, based on the data in the most  
4 recent American community survey published by the United States census

**Policies to include methods for persons in parental relation to contact their student**

**Policies to include one or more methods of storage for devices**

**Purposes for which policies may authorize student use of devices**

**Policies may not prohibit student use of devices if required by an IEP or Section 504 Plan.**

**Policies to be adopted by August 1, 2025 and posted on a clearly visible and accessible location on website by that date**

**Policies to be translated into common languages on request**

5 bureau, shall be provided upon request by a student or persons in  
6 parental relation to a student.

7 7. (a) No later than September first, two thousand twenty-six, and  
8 each September first thereafter, each school district, charter school,  
9 and board of cooperative educational services shall publish an annual  
10 report on its website detailing enforcement of the policy within the  
11 district, charter school, or board of cooperative educational services  
12 in the prior school year, including non-identifiable demographic data of  
13 students who have faced disciplinary action for non-compliance and anal-  
14 ysis of any demographic disparities in enforcement of the policy. If a  
15 statistically significant disparate enforcement impact is identified,  
16 such report shall include a mitigation action plan.

17 (b) Each school district, charter school, and board of cooperative  
18 educational services shall not permit the suspension of a student if the  
19 sole grounds for the suspension is that the student accessed an inter-  
20 net-enabled device in violation of the policy adopted and implemented  
21 pursuant to subdivision two of this section.

**Commencing no later than  
September 1, 2026 and every  
September 1 thereafter, districts,  
BOCES, and charter schools to post  
on their website information on  
enforcement of policy in prior year,  
including demographic data on  
students subject to discipline due to  
non-compliance**

**Suspension of students prohibited if  
sole grounds is violation of  
distraction-free schools policy**