**BILL ANALYSIS**

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| Senate Research Center | C.S.S.B. 2365 |
| 89R21795 CMO-F | By: Creighton et al. |
|  | Education K-16 |
|  | 4/1/2025 |
|  | Committee Report (Substituted) |

**AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

The State of Texas' historic investments in public education this session will not have the intended impact if students are on their phones during instruction. S.B. 2365 strives to ensure that students are focused on learning during instruction.

(Original Author's/Sponsor's Statement of Intent)

S.B. 2365 adds in medical and safety exceptions and ensures local control on implementation.

C.S.S.B. 2365 amends current law relating to a policy prohibiting the use of personal wireless communication devices by public school students during instructional time.

**RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

**SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter A, Chapter 38, Education Code, by adding Section 38.0232, as follows:

Sec. 38.0232. STUDENT USE OF PERSONAL WIRELESS COMMUNICATION DEVICES DURING INSTRUCTIONAL TIME PROHIBITED. (a) Defines "personal wireless communication device."

(b) Requires the board of trustees of a school district and the governing body of an open-enrollment charter school, notwithstanding Section 38.0231 (Guidelines for Use of Digital Devices), to adopt a policy prohibiting a student in the district or school from using a personal wireless communication device during instructional time.

(c) Requires the board of trustees or governing body, in adopting the policy, to authorize the use of a personal wireless communication device necessary to implement an individualized education program, a plan created under Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794), or a similar program or plan, by a student with a documented need based on a directive from a qualified physician, or necessary to comply with a health or safety requirement imposed by law or included in the district's or school's safety protocols.

SECTION 2. Provides that this Act applies beginning with the 2025–2026 school year.

SECTION 3. Effective date: upon passage or September 1, 2025.