

118TH CONGRESS
2D SESSION

S. 4783

To establish a program to recognize elementary schools and secondary schools that have implemented a policy to prohibit smartphone use by students during instructional hours and a program to recognize local educational agencies and State educational agencies that serve such schools.

IN THE SENATE OF THE UNITED STATES

JULY 25, 2024

Mr. ROMNEY (for himself and Mr. MURPHY) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To establish a program to recognize elementary schools and secondary schools that have implemented a policy to prohibit smartphone use by students during instructional hours and a program to recognize local educational agencies and State educational agencies that serve such schools.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Smart Kids not
5 Smartphones Act of 2024”.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) **ESEA TERMS.**—The terms “elementary
4 school”, “local educational agency”, “secondary
5 school”, “Secretary”, and “State educational agen-
6 cy” have the meanings given the terms in section
7 8101 of the Elementary and Secondary Education
8 Act of 1965 (20 U.S.C. 7801).

9 (2) **SMARTPHONE.**—

10 (A) **IN GENERAL.**—The term
11 “smartphone” means a hand-held mobile device
12 that is—

13 (i) designed to enable the user to en-
14 gage in voice and data communications
15 using wireless communications;

16 (ii) capable of connecting to the inter-
17 net; and

18 (iii) capable of accessing digital appli-
19 cations, including social media, internet
20 browsing, text messaging, and streaming
21 services.

22 (B) **EXCLUSIONS.**—The term
23 “smartphone” does not include a phone that of-
24 fers only a limited capability or set of capabili-
25 ties (such as placing voice calls and sending
26 text messages), a laptop computer, a tablet de-

1 vice, or a device that has only electronic reading
2 capability.

3 (3) SMARTPHONE USE POLICY.—The term
4 “smartphone use policy” means a policy that, at a
5 minimum, prohibits smartphone use by students in
6 classrooms during instructional hours, except—

7 (A) for use in emergencies;

8 (B) for use in educational instruction or
9 educational enrichment activities;

10 (C) for use by students with exceptional
11 needs or children with disabilities; or

12 (D) for use in other circumstances as de-
13 termined by the Secretary.

14 **SEC. 3. RECOGNITION AWARD PROGRAM FOR SCHOOLS**
15 **THAT IMPLEMENT SMARTPHONE USE POLI-**
16 **CIES TO PROHIBIT SMARTPHONE USE BY**
17 **STUDENTS DURING INSTRUCTIONAL HOURS.**

18 (a) AUTHORIZATION OF SCHOOL RECOGNITION
19 AWARD PROGRAM.—

20 (1) ESTABLISHMENT OF AWARD PROGRAM.—

21 Not later than 1 year after the date of enactment
22 of this Act, the Secretary shall establish a non-mon-
23 etary, non-competitive award program to annually
24 recognize elementary schools and secondary schools

1 that have implemented and enforce a smartphone
2 use policy.

3 (2) PUBLIC LIST.—In carrying out the award
4 program established under paragraph (1), the Sec-
5 retary—

6 (A) shall maintain on the Department’s
7 website a publicly available list of all schools
8 that received an award under paragraph (1) in
9 the preceding year, including each school’s
10 smartphone use policy; and

11 (B) may determine additional methods of
12 recognizing schools that receive an award under
13 paragraph (1).

14 (b) APPLICATION.—An elementary school or sec-
15 ondary school that seeks to receive an award under this
16 section shall submit an application to the Secretary at
17 such time, in such manner, and accompanied by such in-
18 formation as the Secretary may require, including—

19 (1) a description of the applicant’s smartphone
20 use policy and related enforcement mechanisms for
21 such policy; and

22 (2) a description of the applicant’s student, pa-
23 rental, and family engagement efforts to receive
24 input in developing and enforcing such policy, in-
25 cluding families of children with disabilities.

1 (c) ELIGIBILITY.—The Secretary shall make an
2 award to each elementary school and secondary school
3 that—

4 (1) submits an application under subsection (b);

5 and

6 (2) implements and enforces a smartphone use
7 policy.

8 (d) GUIDANCE.—The Secretary—

9 (1) shall publish on the website of the Depart-
10 ment of Education guidance for elementary schools
11 and secondary schools related to smartphone use
12 policies; and

13 (2) in consultation with the Director of the Na-
14 tional Institute of Standards and Technology and
15 the Director of the National Science Foundation,
16 shall publish on the website of the Department of
17 Education smartphone use policy enforcement mech-
18 anisms.

19 **SEC. 4. RECOGNITION AWARD PROGRAM FOR LOCAL EDU-**
20 **CATIONAL AGENCIES AND STATE EDU-**
21 **CATIONAL SCHOOLS.**

22 (a) AUTHORIZATION OF LOCAL EDUCATIONAL AGEN-
23 CY AWARD PROGRAM.—

24 (1) ESTABLISHMENT OF LOCAL EDUCATIONAL
25 AGENCY AWARD PROGRAM.—The Secretary shall es-

1 tabish a non-monetary, non-competitive award pro-
 2 gram to annually recognize local educational agen-
 3 cies for which 100 percent of the elementary schools
 4 and secondary schools served by such agencies—

5 (A) have received an award under section

6 3; or

7 (B) meet eligibility requirements described

8 in section 3(c)(2) by implementing and enforce-
 9 ing a smartphone use policy.

10 (2) PUBLIC LIST.—In carrying out the award
 11 program established under paragraph (1), the Sec-
 12 retary—

13 (A) shall maintain on the Department’s
 14 website a publicly available list of all local edu-
 15 cational agencies that received an award under
 16 paragraph (1) in the preceding year; and

17 (B) may determine additional methods of
 18 recognizing local educational agencies that re-
 19 ceive an award under paragraph (1).

20 (b) AUTHORIZATION OF STATE EDUCATIONAL AGEN-
 21 CY AWARD PROGRAM.—

22 (1) ESTABLISHMENT OF STATE EDUCATIONAL
 23 AGENCY AWARD PROGRAM.—The Secretary shall es-
 24 tablish a non-monetary, non-competitive award pro-
 25 gram to annually recognize State educational agen-

1 cies for which 100 percent of the local educational
2 agencies served by such State educational agencies—

3 (A) have received an award under sub-
4 section (a); or

5 (B) meet eligibility requirements described
6 in subsection (a)(1).

7 (2) PUBLIC LIST.—In carrying out the award
8 program established under paragraph (1), the Sec-
9 retary—

10 (A) shall maintain on the Department’s
11 website a publicly available list of all State edu-
12 cational agencies that received an award under
13 paragraph (1) in the preceding year; and

14 (B) may determine additional methods of
15 recognizing State educational agencies that re-
16 ceive an award under paragraph (1).

17 **SEC. 5. SUNSET.**

18 The programs authorized under this Act shall cease
19 to exist effective on the date that is 10 years after the
20 date of enactment of this Act.

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