

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

1294H.03C

JOSEPH ENGLER, Chief Clerk

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**AN ACT**

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

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*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.**

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