118TH CONGRESS  
2d Session  

S.  

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

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

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”.

Mr. Romney
SEC. 2. DEFINITIONS.

In this Act:

(1) ESEA TERMS.—The terms "elementary school", "local educational agency", "secondary school", "Secretary", and "State educational agency" have the meanings given the terms in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(2) SMARTPHONE.—

(A) IN GENERAL.—The term "smartphone" means a hand-held mobile device that is—

(i) designed to enable the user to engage in voice and data communications using wireless communications;

(ii) capable of connecting to the Internet; and

(iii) capable of accessing digital applications, including social media, Internet browsing, text messaging, and streaming services.

(B) EXCLUSIONS.—The term “smartphone” does not include a phone that offers only a limited capability or set of capabilities (such as placing voice calls and sending text messages), a laptop computer, a tablet de-
vice, or a device that has only electronic reading
capability.

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

(A) for use in emergencies;

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

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

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

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

(a) **Authorization of School Recognition**
**Award Program.**—

(1) **Establishment of award program.**—
Not later than 1 year after the date of enactment
of this Act, the Secretary shall establish a non-mon-
etary, non-competitive award program to annually
recognize elementary schools and secondary schools
that have implemented and enforce a smartphone
use policy.

(2) Public List.—In carrying out the award
program established under paragraph (1), the Sec-
retary—

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

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

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

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

(2) a description of the applicant’s student, pa-
rental, and family engagement efforts to receive
input in developing and enforcing such policy, in-
cluding families of children with disabilities.
(e) ELIGIBILITY.—The Secretary shall make an
award to each elementary school and secondary school
that—

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

and

(2) implements and enforces a smartphone use
policy.

(d) GUIDANCE.—The Secretary—

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

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

SEC. 4. RECOGNITION AWARD PROGRAM FOR LOCAL EDU-
cATIONAL AGENCIES AND STATE EDU-
cATIONAL SCHOOLS.

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

(1) ESTABLISHMENT OF LOCAL EDUCATIONAL
AGENCY AWARD PROGRAM.—The Secretary shall es-
establish a non-monetary, non-competitive award program to annually recognize local educational agencies for which 100 percent of the elementary schools and secondary schools served by such agencies—

(A) have received an award under section 3; or

(B) meet eligibility requirements described in section 3(c)(2) by implementing and enforcing a smartphone use policy.

(2) Public List.—In carrying out the award program established under paragraph (1), the Secretary—

(A) shall maintain on the Department’s website a publicly available list of all local educational agencies that received an award under paragraph (1) in the preceding year; and

(B) may determine additional methods of recognizing local educational agencies that receive an award under paragraph (1).

(b) Authorization of State Educational Agency Award Program.—

(1) Establishment of State Educational Agency Award Program.—The Secretary shall establish a non-monetary, non-competitive award program to annually recognize State educational agen-
cies for which 100 percent of the local educational agencies served by such State educational agencies—

(A) have received an award under subsection (a); or

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

(2) **Public List.**—In carrying out the award program established under paragraph (1), the Secretary—

(A) shall maintain on the Department’s website a publicly available list of all State educational agencies that received an award under paragraph (1) in the preceding year; and

(B) may determine additional methods of recognizing State educational agencies that receive an award under paragraph (1).

**Sec. 5. Sunset.**

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