

CHAPTER 195

AN ACT concerning student use of internet-enabled devices and supplementing chapter 36 of Title 18A of the New Jersey Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C.18A:36-40a Definitions.

1. As used in this act:

“Board of education” means a board of education as defined in N.J.S.18A:18A-2, a board of trustees of a charter school, and a board of trustees of a renaissance school project.

“Internet-enabled device” means a smartphone, tablet, smartwatch, or other device capable of connecting to the internet and enabling the user to access content on the internet, including social media applications. An internet-enabled device shall not include a non-internet-enabled device or an internet-enabled device provided by a public school when used for educational purposes.

“Non-internet-enabled device” means a cell phone or other communication device that is not capable of connecting to the internet or enabling the user to access content on the internet.

“Public school” means and includes a school, under college grade, which is operated by the governing body of a school district, charter school, or renaissance school project.

C.18A:36-40b Student use of internet-enabled devices during school-related hours, events, Commissioner of Education, guidelines.

2. a. To assist boards of education in developing policies concerning student use of internet-enabled devices during regular school hours, on a school bus, or during school-sanctioned events when the student is under the direct supervision of a teaching staff member or employee of the board of education, the Commissioner of Education shall develop guidelines applicable to students enrolled in grades kindergarten through 12. The guidelines shall be issued no later than 90 days after the effective date of this act.

b. The guidelines shall, at a minimum:

(1) provide age appropriate and grade-level differentiated guidelines concerning limiting and prohibiting student use of internet-enabled devices;

(2) prohibit non-academic use of an internet-enabled device on school grounds during the school day;

(3) be consistent with State and federal law, including accommodations provided in a student’s Individualized Education Program (IEP) established pursuant to the “Individuals with Disabilities Education Act,” 20 U.S.C. s.1400 et seq., educational plan established pursuant to section 504 of the “Rehabilitation Act of 1973,” 29 U.S.C. s.794, or student health plan established to monitor or address a student’s health condition;

(4) address permitting student use of cell phones in the case of an emergency or in response to a perceived threat of danger;

(5) authorize student use of an internet-enabled device on school grounds during the school day, or during school-sanctioned events:

(a) if authorized by a principal, chief school administrator, or their designee, for a necessary specified purpose, which shall be authorized only when no reasonable alternative exists to achieve the same objective while maintaining compliance with the guidelines issued by the Commissioner of Education;

(b) if necessary for the provision and administration of a student’s prescribed care consistent with the submission by a parent or guardian of documentation from a health care professional;

(c) for translation services;

(d) on a case-by-case basis for a student caregiver who is routinely responsible for the care or well-being of a family member, upon approval from a principal, chief school administrator, or their designees, which may include a school psychologist, school social worker, or school counselor; and

(e) when required by law;

(6) address internet-enabled devices and cell phones with only text or voice;

(7) list options that may be utilized by a board of education for storage of an internet-enabled device, including locked pouches and lockers;

(8) provide guidance for a board of education to establish network-based restrictions to prevent the use of, or access to, social media platforms; and

(9) detail protocols for communicating the board of education's policy concerning student use of internet-enabled devices to students, their families, and teaching staff members.

c. The guidelines shall promote student learning and well-being. In developing the guidelines, the commissioner shall consult with interested stakeholders in the education community including, but not limited to, the New Jersey Education Association, the American Federation of Teachers, the New Jersey School Boards Association, the New Jersey Principals and Supervisors Association, and the New Jersey Association of School Administrators, to ensure that the guidelines are responsive to the needs of students, parents, and teaching staff members.

d. A board of education shall adopt a policy concerning student use of internet-enabled devices during regular school hours, on a school bus, or during school-sanctioned events when the student is under the direct supervision of a teaching staff member or employee of the board of education. The policy shall address the use of internet-enabled devices in the event of an emergency situation or in response to a perceived threat of danger. The policy shall be consistent with the guidelines developed pursuant to subsection a. of this section.

e. Nothing in this section shall be construed to prevent a board of education from adopting a policy on the use of internet-enabled devices by students enrolled in the public school that is more stringent than the guidelines developed by the commissioner pursuant to subsection a. of this section.

f. The guidelines developed by the commissioner pursuant to subsection a. of this section shall not prohibit a principal, chief school administrator, or designee from making a reasonable accommodation for the use of internet-enabled devices for educational purposes.

3. This act shall take effect immediately and shall first apply to the first full school year next following the date of enactment.

Approved January 8, 2026.