

HOUSE BILL REPORT

SSB 6454

As Passed House:

March 3, 2004

Title: An act relating to the use of portable or cellular phones or paging telecommunications devices by students.

Brief Description: Regarding the use of portable or cellular phones or paging telecommunications devices by students.

Sponsors: By Senate Committee on Education (originally sponsored by Senators McAuliffe, Roach, Fairley, Eide, Regala, Winsley, Prentice, Shin, Kline, Thibaudeau, Johnson, Franklin, Keiser, Rasmussen, Zarelli, Jacobsen and B. Sheldon).

Brief History:

Committee Activity:

Education: 2/19/04, 2/26/04 [DP].

Floor Activity:

Passed House: 3/3/04, 40-56.

Brief Summary of Substitute Bill

- Limits the scope of a policy a school district may adopt regarding cell phones and pagers to a policy addressing the use of such devices by students.

HOUSE COMMITTEE ON EDUCATION

Majority Report: Do pass. Signed by 9 members: Representatives Quall, Chair; McDermott, Vice Chair; Talcott, Ranking Minority Member; Anderson, Haigh, Hunter, McMahan, Rockefeller and Santos.

Minority Report: Do not pass. Signed by 2 members: Representatives Tom, Assistant Ranking Minority Member; and Cox.

Staff: Sydney Forrester (786-7120).

Background:

In 1997, the Legislature enacted E2SHB 1841, an omnibus bill of school safety improvements. That bill addressed a variety of school safety issues related to gang violence and other disruptive or criminal activity on school campuses through certain mandates and grants of permissive authority to school districts. One of those grants of authority was to allow school districts to adopt policies limiting the possession of pagers and cell phones by students.

Since that time the prevalence of cell phone ownership and use has increased significantly. A study by the Federal Communications and Trade Commission indicates that more than half of children ages 12 to 17 own a cell phone, and additional research by a company specializing in interactive research and marketing indicates that 21 percent of children ages eight to 12 own one.

Summary of Bill:

School district policies may limit the use by students of cell phones and pagers on school grounds or during school-sponsored activities. School districts may not adopt policies prohibiting the possession by students of cell phones and pagers. Such policies may, however, prohibit individual students from possessing cell phones and pagers if a student violates the district's policy prohibiting use of the devices.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.

Testimony For: When we initially allowed districts to ban possession of these cell phones and pagers it was partly out of concern that they were being used for drug sales or other illegal activities. But this is another generation, and today's generation of students uses cell phones wisely and respectfully.

These phones are necessary for emergency situations and to call parents for a ride following after-school activities, especially night time activities. Some schools have removed pay phones and other than the office phone there is no way to contact parents or for parents to contact students. During the Columbine shootings, the first call to the police was made from a cell phone. If other emergencies arise, students can call for assistance and let them know where help is needed. If a person is trapped in a school building, he or she could use a cell phone to call for help. Districts can set their own policies to prohibit picture cell phones in school locker rooms and in classrooms during tests. If an individual student doesn't use a cell phone responsibly the district then could prevent that person from possessing their cell phone on campus.

Testimony Against: None.

Persons Testifying: Senator McAuliffe, prime sponsor; and Mary Douglas, Barbara Johnshoy, Aaron Singleton, and Joseph Duff, Snohomish High School.

Persons Signed In To Testify But Not Testifying: None.