

Note: Highlighted section is being moved to Administrative Procedure 09.4261 AP.3 with minor technical changes.

Note: Highlighted sections reflects the Board's discussion on April 29, 2025 regarding whether to ban cell use for the entirety of the school day; or, at a minimum, during instructional time.

STUDENTS

09.4261

Telecommunication Devices

DEFINITION

Personal telecommunication device is defined in [KRS 158.165](#) and includes, but is not limited to, cellular telephones, [personal tablets](#), pagers, walkie-talkies, [headphones](#); ~~electronic mail devices~~, MP3 players, ~~iPods~~, and video gaming systems. [The restrictions for student use of a cell phone in a school-based cell phone policy required by this policy and Administrative Procedure 09.4261 AP.3 shall apply to all student use of any personal telecommunications device.](#)

SCHOOL-BASED CELL PHONE POLICIES

[The School-Based Decision Making \(SBDM\) council or the Advisory Leadership Team in schools without an SBDM Council shall adopt a cell phone policy governing student use of personal telecommunications devices.](#)

[The cell phone policy shall be developed in accordance with the policy parameters and processes set forth in Administrative Procedure 09.4261 AP.3 School-Based Cell Phone Policies.](#)

[The policy:](#)

- [1. Shall prohibit a student's use of a cell phone during the entirety of the school day, except during an emergency; and](#)
- [1. Shall, at a minimum, prohibit a student's use of a cell phone during instructional time, except during an emergency;](#)
- [2. May prohibit the use of a cell phone by a student during the entirety of the school day; and](#)
- [2. Shall provide for exceptions as set forth in Administrative Procedure 09.4261 AP.3.](#)

INSTRUCTIONAL SCHOOL DAY

~~Unless a school/council has been granted a waiver pursuant to Board policy 02.432, students shall not use/activate and/or display a personal telecommunication device on school property during the course of the instructional day unless they are acting in the capacity of a volunteer firefighter or Emergency Medical Service (EMS) worker.[†] The Superintendent may approve the use of personal telecommunication devices as provided in the plan submitted by schools that contain a business and information technology career theme.~~

POSSESSION AND USE AT OTHER TIMES

~~Outside the instructional school day and while on school property or while attending school-sponsored or school-related activities, whether on or off school property, students shall be permitted to possess and use personal telecommunications devices as defined by law[†] and other related electronic devices, provided they observe the following conditions:~~

- ~~1. Devices shall not be used in a manner that is materially or substantially disruptive, including, but not limited to, use that:~~
 - ~~b. Poses a threat to academic integrity, such as cheating;~~

Telecommunication Devices**POSSESSION AND USE AT OTHER TIMES (CONTINUED)**

- c. ~~Violates confidentiality or privacy rights of another individual. This includes, but is not limited to, taking photographs, video, or audio recordings of others without the permission of the Principal/designee and the affected individual(s). An exception may be made for events considered to be in the public arena (e.g. sporting events, academic competitions, or performances to which the general public is admitted) where the activity does not materially disrupt the event, prevent others~~
~~from observing the event, or otherwise violate legal rights. School social events for students, activities sponsored by student clubs, and activities during the school day that are not open to the public are not considered to be in the public arena;~~
- d. ~~Is profane, indecent, or obscene;~~
- e. ~~Constitutes or promotes illegal activity or activity in violation of school rules; or~~
- f. ~~Constitutes or promotes sending, sharing, or possessing sexually explicit messages, photographs, or images using any electronic device.~~

~~These restrictions shall not be interpreted to prohibit material protected under the state or federal constitutions where such material does not otherwise materially or substantially disrupt the education process or intrude upon the rights of others.~~

- 2. ~~Students are responsible for keeping up with devices they bring to school. The District shall not be responsible for loss, theft, or destruction of devices brought onto school property.~~
- 3. ~~Students shall comply with any additional rules developed by the school concerning appropriate use of telecommunication or other electronic devices.~~
- 4. ~~Students shall not utilize a telecommunication or similar electronic device in a manner that would violate the District's Acceptable Use policy or procedures or the Student Support and Behavior Intervention Handbook.~~

CONSEQUENCES

When ~~a student violates the students violate prohibitions of the school-based cell phone policy required under this policy and Administrative Procedure 09.4261 AP.3, the student they~~ shall be subject to ~~interventions and consequences set forth in the Student Support and Behavior Intervention Handbook (SSBIH) disciplinary action, including but not limited to~~ losing the privilege of bringing the ~~cell phone device~~ onto school property and being reported to ~~the student's their~~ parent/guardian.

~~A violation also may result in a report being made to law enforcement. In addition, an administrator may confiscate the device as~~ In the event of a violation, the principal or designated administrator may confiscate a student's cell phone and may make a report to the District Police Department as provided in the ~~Student Support and Behavior Intervention Handbook SSBIH and Administrative Procedure 09.4261 AP.1.~~

Telecommunication Devices**NOTICE OF POLICY**

Notice of the interventions and consequences ~~this policy and penalties~~ for violating the school-based cell phone policy ~~it~~ shall be published annually in the SSBIH District's Student Support and Behavior Intervention Handbook.

REFERENCES:

¹KRS 158.165 ~~KRS 525.080~~

RELATED POLICIES AND ADMINISTRATIVE PROCEDURES:

08.2323, 09.426, 09.436, 09.438, 09.4261 AP.1, 09.4261 AP.2, 09.4261 AP.3

Adopted/Amended: 1/10/2017
Order #: 2017-012

Note: Highlighted text is taken from existing Board Policy 09.4261 with minor technical edits and is being moved to this Administrative Procedure.

Note: Highlighted sections reflects the Board's discussion on April 29, 2025 regarding whether to ban cell use for the entirety of the school day; or, at a minimum, during instructional time.

STUDENTS

09.4261 AP.3

School-Based Cell Phone Policies

SCHOOL-BASED CELL PHONE POLICY PARAMETERS

The school-based decision making (SBDM) council or the Advisory Leadership Team in schools without an SBDM Council shall adopt a cell phone policy governing student use of personal telecommunications devices.

The policy:

1. Shall prohibit a student's use of a cell phone during the entirety of the school day, except during an emergency; and
1. Shall, at a minimum, prohibit a student's use of a cell phone during instructional time except during an emergency;—
2. May prohibit the use of cell phones during the entirety of the school day;—
2. Shall provide exceptions for use of a cell phone if a student is authorized to do so pursuant to:
 - a. The Individuals with Disabilities Education Act, 20 U.S.C. sec. 1400 et seq. or successor acts;
 - b. The Americans with Disabilities Act, 42 U.S.C. sec. 12101 et seq or successor acts;
 - c. The Rehabilitation Act of 1973, 29 U.S.C. sec. 701 et seq., or successor acts; or
 - d. Written authorization from a licensed medical provider for the use of a cell phone to monitor or respond to a medical condition;
3. May provide for the use of pouches or other devices to support implementation of the cell phone policy as determined by the Cell Phone Advisory Committee, subject to the availability of funds; and
4. Shall apply the restrictions for cell phone use to all personal telecommunications devices as defined in KRS 158.165, including, but not limited to, cellular telephones, personal tablets, pagers, walkie-talkies, headphones; MP3 players, and video gaming systems.¹

PROCESS FOR DEVELOPING AND IMPLEMENTING A SCHOOL-BASED CELL PHONE POLICY

Each school shall put into effect all of the provisions of a comprehensive cell phone action plan developed in accordance with this administrative procedure.

The school collaborative leadership team shall convene a Cell Phone Policy Committee comprised of school employees determined by the team, including the principal, teachers, classified employees, counselor(s), assistant principal(s), and any other staff member(s) the team appoints.

The committee shall develop and oversee deployment of the cell phone action plan, which shall:

1. Establish the principles and objectives of the committee;

School-Based Cell Phone Policies

PROCESS FOR DEVELOPING AND IMPLEMENTING A SCHOOL-BASED CELL PHONE POLICY (CONTINUED)

2. Establish a timeline for development of the cell phone policy and the execution of each component the action plan;
3. Gather stakeholder input regarding a cell phone policy from administrators, teachers, classified employees, students, and parents/guardians through surveys and other means as determined by the committee;
4. Study existing policies and models from other schools and districts and research regarding the impact of cell phone use on student learning and success;
5. Develop consensus among committee members regarding the key components of the cell policy;
6. Draft the cell phone policy and conduct a Racial Equity Analysis Protocol (REAP);
7. Submit the policy and REAP to the school's Assistant Superintendent for review and feedback;
8. Present the draft cell phone policy to the SBDM Council or Advisory Leadership Team for approval;
9. Upon approval, inform all school employees, students, parents/guardians of the new policy through processes determined by the committee, which may include, but are not limited to:
 - a. Meetings, e-mails, and letters; and
 - b. Responding to stakeholder questions regarding the cell phone policy; and
10. Create an implementation plan, to include:
 - a. The development and practice of processes to address implementation issues determined by the committee, which may include, but are not limited to:
 - i. Compliance checks;
 - ii. Standards for equitable enforcement using progressive discipline;
 - iii. Appropriate application of exemptions required under this administrative procedure;
 - iv. Protocols for arrival and dismissal, field trips, messages from parents/guardians, and emergencies; and
 - v. The use of pouches or other devices if those are part of the cell phone policy;
 - b. Providing training for school employees and students employees regarding the cell phone policy and related processes.

DISTRICT SUPPORT FOR DEVELOPMENT AND IMPLEMENTATION OF CELL PHONE POLICIES

The Schools Division shall be responsible for the coordination of District support for schools as they develop the school cell phone policy and implement the action plan. District support shall include, but is not limited to providing:

School-Based Cell Phone Policies

1. Best practices and sample policies and models from other schools and districts;
2. Peer-reviewed research regarding the impact cell phone use on students learning and well-being;
3. Feedback and guidance regarding draft cell phone policies; and
4. Access to other resources to support the development and implementation of the cell phone policy.

IMPLEMENTATION REVIEW OF SCHOOL-BASED CELL PHONE POLICIES BY INTERNAL AUDIT

For the 2025-26 school year, Internal Audit shall include in its annual workplan a mid-year and an end-of-year review of the implementation of school-based cell phone policies and submit mid-year and end-of-year reports to the Board.

The implementation review shall investigate the overall fidelity of implementation; changes to the amount of cell phone use by students; the impact on behavior referrals, school culture, and student access to learning; and any other area of interest determined by the Internal Audit Division Leader. The report of the findings shall include recommendations for improvement in implementation.

In subsequent years, Internal Audit shall include in its workplan an implementation review of school-based cell phone policies upon request of the Superintendent or the Board.

LIMITATIONS ON THE POSSESSION AND USE OF TELECOMMUNICATIONS DEVICES

In schools that permit student possession and use of a cell phone outside of instructional time and while on school property or while attending school-sponsored or school-related activities, whether on or off school property, a student shall be permitted to possess and use a cell phone or other related electronic telecommunications device, provided the student observes the following conditions:

INAPPROPRIATE USE OF A CELL PHONE BY A STUDENT

When determining the interventions and consequences that will be applied when a violation of the school-based cell phone policy occurs, administrators shall take into consideration the manner in which the cell phone is used by a student. More significant consequences are appropriate when a student uses a cell phone in a manner that is materially or substantially disruptive, including, but not limited to, use that:

— A cell phone shall not be used in a manner that is materially or substantially disruptive, including, but not limited to, use that:

- a. Poses a threat to academic integrity, such as cheating;
- a.b. Violates confidentiality or privacy rights of another individual. This includes, but is not limited to, taking photographs, video, or audio recordings of others without the permission of the Principal/designee and the affected individual(s). An exception may be made for events considered to be in the public arena (e.g. sporting events, academic competitions, or performances to which the general public is admitted) where the activity does not materially disrupt the event, prevent others from observing the event, or otherwise violate legal rights. School social events for students, activities sponsored by student clubs, and activities during the school day that are not open to the public are not considered to be in the public arena;

School-Based Cell Phone Policies**INAPPROPRIATE USE OF A CELL PHONE BY A STUDENT (CONTINUED)**

- c. Is profane, indecent, or obscene;
- d. Constitutes or promotes illegal activity or activity in violation of school rules; or
- e. Constitutes or promotes sending, sharing, or possessing sexually explicit messages, photographs, or images using a cell phone.

These restrictions shall not be interpreted to prohibit material protected under the U.S. or Kentucky Constitutions where such material does not otherwise materially or substantially disrupt the education process or intrude upon the rights of others.

- 2. A student is responsible for a cell phone or other device the student brings to school. The District shall not be responsible for loss, theft, or destruction of a cell phone or other electronic device brought onto school property.
- 3. The theft of a cell phone or other device is prohibited and will be investigated by school administrators. If a student is determined to have stolen a cell phone or other device, the student will be subject to consequences in accordance with the SSBIH.
- 4. A student shall comply with any additional rules developed by the school concerning appropriate student use of a cell phone or other electronic device.
- 5. A student shall not utilize a cell phone or other electronic device in a manner that would violate the District's Student Acceptable Use Policy or the Student Support and Behavior Intervention Handbook.

REFERENCES:

¹KRS 158.165

KRS 525.080

RELATED POLICIES AND ADMINISTRATIVE PROCEDURES:

08.2323, 09.426, 09.436, 09.438