

HB166 ENGROSSED



1 HB166
2 W11V3EE-2
3 By Representatives Hulsey, Collins, Baker, Faulkner, DuBose
4 RFD: Education Policy
5 First Read: 04-Feb-25



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A BILL
TO BE ENTITLED
AN ACT

Relating to public K-12 education; to establish the Freeing our Classrooms of Unnecessary Screens for Safety (FOCUS) Act; to prohibit the use, operation, and possession of wireless communication devices on certain public school properties; to require local boards of education to adopt an Internet safety policy; to add Section 16-40-13 to the Code of Alabama 1975, to require students to complete a social media safety course prior to entering the eighth grade; and to repeal Section 16-1-27, Code of Alabama 1975, providing for the use of electronic communication devices on school property.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The Legislature finds and declares the following:

(1) Each student in an Alabama public K-12 school should be college-ready or career-ready upon high school graduation.



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27 (2) Many high school teachers believe that cell phones
28 and other electronic communication devices are distracting
29 students in the classroom.

30 (3) Studies have shown that cell phones and other
31 electronic communication devices are negatively impacting
32 learning outcomes.

33 (4) Studies have shown that increased social media usage
34 may negatively affect the mental health of school-aged
35 children.

36 Section 2. For the purposes of this act, the following
37 terms have the following meanings:

38 (1) INSTRUCTIONAL DAY. The period of time during which a
39 public elementary or secondary school is open and in session
40 for purpose of meeting the minimum number of instructional
41 days or hours pursuant to Section 16-13-231, Code of Alabama
42 1975. The term also includes class transitions, lunch,
43 non-instructional times, and any other time specified in a
44 wireless communication device policy.

45 (2) WIRELESS COMMUNICATION DEVICE. A cellular telephone,
46 tablet computer, laptop computer, pager, gaming device, or any
47 other portable electronic device identified in a wireless
48 communication device policy that has the capability of
49 exchanging voice, messaging, or other data communication with
50 another electronic device.

51 (3) WIRELESS COMMUNICATION DEVICE POLICY. A written
52 policy adopted by a local board of education to implement this
53 act.



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54 Section 3. (a) Beginning with the 2025-2026 school year,
55 no student shall use or operate any wireless communication
56 device in any public elementary or secondary school building
57 or on the grounds thereof during the instructional day.

58 (b) Beginning with the 2025-2026 school year, no student
59 may possess a wireless communication device in any public
60 elementary or secondary school building or on the grounds
61 thereof during the instructional day unless the wireless
62 communication device is turned off and stored off their person
63 in a locker, car, or similar storage location.

64 (c) Notwithstanding subsections (a) and (b), a student
65 may use, operate, or possess a wireless communication device
66 in a public elementary or secondary school building or on the
67 grounds thereof during the instructional day in any of the
68 following circumstances:

69 (1) The use, operation, or possession is pursuant to the
70 student's Individualized Education Program, Individualized
71 Accommodation Plan, Section 504 plan, or Individualized Health
72 Plan.

73 (2) The use, operation, or possession is for educational
74 or learning purposes under the supervision of local board of
75 education personnel.

76 (3) The use, operation, or possession occurs during an
77 emergency threatening the life or safety of the student or
78 another person.

79 (d) No later than July 1, 2025, each local board of
80 education shall adopt a wireless communication device policy.
81 The wireless communication device policy shall include



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82 consequences for violations. The local board of education
83 shall reasonably distribute the wireless communication device
84 policy to students, parents, faculty, staff, and the State
85 Board of Education.

86 Section 4. (a) No later than July 1, 2025, each local
87 board of education shall adopt an Internet safety policy that
88 addresses student access to the Internet on devices owned by
89 the local board of education.

90 (b) The policy shall do all of the following:

91 (1) Limit Internet access by students to only
92 age-appropriate subject matters and materials deemed
93 age-appropriate pursuant to the policy.

94 (2) Provide specific procedures and other protections
95 that prioritize the safety and security of students when using
96 email, chat rooms, and other forms of direct electronic
97 communication.

98 (3) Prohibit access by students to unlawfully obtained
99 data or information, including hacking, and other unlawful
100 online activity by students.

101 (4) Prohibit access to websites, web applications, or
102 software that exposes students to the disclosure, use, or
103 dissemination of their personal information.

104 (5) Prohibit students from accessing social media
105 platforms, except when expressly directed by a teacher solely
106 for educational purposes.

107 (c) The principal shall be responsible for ensuring
108 consistent compliance with the policy by school personnel.



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109 Section 5. (a) Each certificated staff member employed by
110 the local board education shall complete an annual written
111 anonymous survey regarding the implementation of the wireless
112 communication device policy and to measure uniform compliance
113 within the school.

114 (b) On or before October 1, 2025, the State Department of
115 Education shall develop a survey to assess the levels of
116 participation and compliance with the wireless communication
117 device policy. On or before June 1, each subsequent year, the
118 annual survey results shall be submitted by the principal to
119 the local superintendent of education, local board of
120 education, and the State Board of Education for publication on
121 the website of the State Department of Education.

122 Section 6. Section 16-40-13 is added to the Code of
123 Alabama to read as follows:

124 §16-40-13

125 (a) No later than July 1, 2025, the State Department of
126 Education shall develop and approve an asynchronous, digitally
127 delivered course that addresses the risks of using social
128 media and how to use social media safely.

129 (b) At a minimum, the course shall include the following
130 topics:

131 (1) The benefits of safely using age-appropriate social
132 media platforms, including career and resume building for
133 future academic or employment opportunities; sharing
134 information with family and friends; and safely connecting
135 with other users with similar interests.



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136 (2) The risks of social media use including its negative
137 effects on mental health, including addiction; the
138 distribution of misinformation on social media; how social
139 media manipulates behavior; and the permanency of sharing
140 materials online.

141 (3) Safe practices for using social media including how
142 to report suspicious behavior; how to identify cyberbullying,
143 phishing and scam communications, predatory behavior, and
144 human trafficking; and maintaining personal security and
145 preventing oversharing of personal information.

146 (c) The State Department of Education shall make the
147 course available online and each local board of education
148 shall reasonably notify parents of its availability. Each
149 local board of education shall deliver the course to all
150 students prior to entering the eighth grade and shall make the
151 course available to students in grades eight through 12 who
152 transfer to the school district or who otherwise have not
153 completed the course.

154 (d) The State Board of Education may adopt rules to
155 implement this section.

156 Section 7. Section 16-1-27, Code of Alabama 1975,
157 providing for the use of electronic communications devices on
158 school property, is repealed.

159 Section 8. This act shall become effective immediately.



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House of Representatives

Read for the first time and referred04-Feb-25
to the House of Representatives
committee on Education Policy

Read for the second time and placed27-Feb-25
on the calendar:
0 amendments

Read for the third time and passed03-Apr-25
as amended
Yeas 79
Nays 15
Abstains 9

John Treadwell
Clerk