

# HB81 INTRODUCED



1 HB81  
2 JSATYNN-1  
3 By Representative Warren  
4 RFD: Education Policy  
5 First Read: 04-Feb-25  
6 PFD: 06-Jan-25



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SYNOPSIS:

Under existing law, local boards of education have the authority to adopt local policies relating to pocket pagers, cellular telephones, and other electronic communication devices.

This bill would require the State Board of Education to adopt a model policy restricting the possession and use of cell phones and other electronic communication devices in public K-12 classrooms, with some exceptions.

This bill would require the state board's model policy to include a discipline scale that levies a fine against students who continually possess or use a cell phone in violation of the model policy.

This bill would also require each local board of education to adopt a policy relating to the use and storage of electronic communication devices based on that model policy.

A BILL  
TO BE ENTITLED  
AN ACT

Relating to public K-12 education; to amend Section



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29 16-1-27, Code of Alabama 1975; to require the State Board of  
30 Education to adopt a model policy restricting the possession  
31 and use of cell phones in public K-12 schools; to require the  
32 model policy to address discipline and include a fine for  
33 continued violation; and to require each local board of  
34 education to adopt a policy relating to the use and storage of  
35 cell phones based on that model.

36 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

37 Section 1. Section 16-1-27, Code of Alabama 1975, is  
38 amended to read as follows:

39 "§16-1-27

40 ~~(a) A local board of education may permit any pupil to~~  
41 ~~carry a pocket pager, cellular telephone, or other electronic~~  
42 ~~communication device while on school property and may permit~~  
43 ~~any pupil to use a pocket pager, cellular telephone, or other~~  
44 ~~electronic communication device, when such use is expressly~~  
45 ~~and specifically permitted by the school administrator,~~  
46 ~~teacher, or employee who is acting in a supervisory capacity~~  
47 ~~at the time of the use.~~ For purposes of this section, the  
48 following terms have the following meanings:

49 (1) CLASSROOM INSTRUCTIONAL TIME. Time during which  
50 students are participating in a course, curriculum, or other  
51 educational activity under the direction of a teacher.

52 (2) ELECTRONIC COMMUNICATION DEVICE. Any privately  
53 owned, portable wireless device that has the capability to  
54 provide voice, messaging, or other data communication between  
55 two or more parties, including, but not limited to, a cellular  
56 phone, tablet, computer, pager, or other electronic messaging



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57 device. This term does not include any device that is owned or  
58 issued to students by the local board of education.

59 (3) STATE BOARD. The State Board of Education.

60 (b) (1) No later than January 1, 2026, the state board  
61 shall adopt a model policy that prohibits public K-12 students  
62 from possessing or using an electronic communication device  
63 during classroom instructional time.

64 (2) The model policy shall include exceptions,  
65 including, but not limited to, permitting a student to use an  
66 electronic communication device:

67 a. In the event of an emergency or to manage the  
68 student's health care;

69 b. If a teacher has authorized the use for educational  
70 purposes during classroom instructional time; and

71 c. If the use is included in the student's  
72 individualized education program (IEP) or a plan developed  
73 under Section 504 of the Rehabilitation Act of 1973, 29 U.S.C.  
74 § 794.

75 (3) The model policy shall provide for the discipline  
76 of any student ~~Any pupil~~ found in violation of this section.  
77 The policy shall include a discipline scale that provides  
78 escalating penalties for second and subsequent violations and  
79 levies a fine against any student who repeatedly violates this  
80 section. Additional appropriate penalties include, but are not  
81 limited to, a warning, confiscation of the electronic  
82 communication device, and parental contact. ~~shall be subject~~  
83 ~~to suspension by the board of education.~~

84 (c) ~~Each~~ No later than the beginning of the 2026-2027



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85 school year, each local board of education ~~may adopt~~ shall  
86 adopt and implement a ~~local policy that pertains to pocket~~  
87 ~~paggers, cellular telephones, and other electronic~~  
88 ~~communication devices~~ relating to the use of electronic  
89 communication devices on school property. The policy shall:

90 (1) Require electronic communication devices to be  
91 stored in student lockers or in an area designated in the  
92 classroom for the storage of electronic communication devices  
93 during classroom instructional time; and

94 (2) Reflect the model policy adopted by the state  
95 board, including a discipline scale, provided that the local  
96 board of education may exceed the minimum discipline standards  
97 adopted by the model policy."

98 Section 2. This act shall become effective on June 1,  
99 2025.