

CHAPTER 34 (HB 266)

AN ACT relating to personal telecommunications devices in public schools.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Section 1. KRS 158.165 is amended to read as follows:

- (1) ~~{A student in a public school shall not possess a paging device while on school property or while attending a school-sponsored or school-related activity on or off school property unless the student is in attendance in the capacity of an active member of a volunteer firefighting organization or a volunteer emergency medical services organization.~~
- (2) }The board of *education of* each school district shall *develop a policy regarding the possession and use of a personal telecommunications device by a student while on school property or while attending a school-sponsored or school-related activity on or off school property, and shall* include the *policy*~~{prohibition in subsection (1) of this section}~~ in the district's written standards of student conduct. A student who violates the *policy*~~{prohibition}~~ shall be subject to discipline as provided by board policy~~{, consistent with this section}~~.
- (2){(3) — A person who discovers a student in possession of a paging device in violation of this section shall report the violation to the appropriate school administrator, as determined by school policy, who shall order a peace officer or appropriate school employee to confiscate the device, which is forfeited to the school district.
- (4)}— In this section, *"personal telecommunications device"*~~{ "paging device"}~~ means a ~~{telecommunications}~~ device that emits an audible signal, vibrates, displays a message, or otherwise summons or delivers a communication to the possessor, *including but not limited to a paging device and a cellular telephone.*

Approved February 25, 2000

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