

CHAPTER 90

(HB 208)

AN ACT relating to technology 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) The board of education of each school district shall ~~adopt~~~~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 in the district's written standards of student conduct.
- (b) *The policy shall, at a minimum, prohibit a student's use of a personal telecommunications device during instructional time, except during an emergency, if directed to do so by a teacher for an instructional purpose, or if authorized by a teacher.*
- (c) A student who violates the policy shall be subject to discipline as provided by board policy.
- (2) **As used** in this section, "personal telecommunications device":
 - (a) Means a 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; **and**
 - (b) *Does not include any device a student is authorized to use pursuant to the Individuals with Disabilities Education Act, 20 U.S.C. sec. 1400 et seq., the Americans with Disabilities Act, 42 U.S.C. sec. 12101 et seq., or the Rehabilitation Act of 1973, 29 U.S.C. sec. 701 et seq., or successor acts.*

➔Section 2. KRS 156.675 is amended to read as follows:

- (1) The Kentucky Board of Education shall promulgate administrative regulations to prevent **social media and** sexually explicit material from being transmitted via any video or computer system, software or hardware product, or Internet service managed or provided to local schools or school districts.
- (2) Each local school district and school shall utilize the latest available filtering technology to ensure that **social media and** sexually explicit material is not made available to students.
- (3) The Kentucky Department of Education shall make available to school districts and schools upon request and without cost, state-of-the-art software products that enable local districts and schools to prevent access to **social media and** sexually explicit material. The department shall also notify all school districts and schools of the availability of the software. Any product provided or obtained by a district or school shall meet the requirements of subsection (2) of this section.
- (4) Each local school district shall establish a policy regarding student internet access that shall include~~[-]~~ but not be limited to~~[-]~~ parental consent for student internet use, teacher supervision of student computer use, and auditing procedures to determine whether education technology is being used for the purpose of accessing **social media or** sexually explicit or other objectionable material.
- (5) *The provisions of subsections (1) to (4) of this section shall only apply to social media that a student is not authorized by a teacher to access for an instructional purpose.*

Signed by Governor March 26, 2025.