

1 AN ACT relating to digital instruction.

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

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 158 IS CREATED TO
4 READ AS FOLLOWS:

5 *(1) As used in this section:*

6 *(a) "Digital instruction" means lessons, assignments, testing, or activities*
7 *delivered through instructional technology;*

8 *(b) "Elementary student" means a student enrolled in a public school for in-*
9 *person instruction in kindergarten through grade five (5);*

10 *(c) "Instructional technology" means a laptop, tablet, computer, Chromebook,*
11 *smart device, software platform, or other similar device or platform that is*
12 *provided by the district and used for student learning;*

13 *(d) "Manipulatives" means hands-on physical learning items, including but*
14 *not limited to blocks, counters, cubes, rulers, cards, science materials, and*
15 *similar educational tools;*

16 *(e) "Public elementary school" means a public school that enrolls elementary*
17 *students for in-person instruction; and*

18 *(f) "Traditional materials" means printed books, paper-based workbooks,*
19 *notebooks, handwriting materials, and physical educational resources.*

20 *(2) Digital instruction for elementary students shall not exceed forty-five (45)*
21 *minutes per elementary student per instructional day, inclusive of all subjects.*

22 *(3) Notwithstanding subsection (2) of this section, instructional technology used for*
23 *the following purposes may be permitted and shall not count towards the daily*
24 *digital instruction time limit for elementary students:*

25 *(a) Special education needs documented in an individualized education*
26 *program, or IEP, as that term is defined in 20 U.S.C. sec. 1401 or a 504*
27 *plan created under Section 504 of the federal Rehabilitation Act of 1973, 29*

- 1 *U.S.C. sec. 794;*
- 2 *(b) Assistive or adaptive technology required for student access; and*
- 3 *(c) Teacher-directed demonstrations on a projector, smartboard, or television if*
- 4 *students are not individually using such devices.*
- 5 *(4) A public elementary school shall require:*
- 6 *(a) At least seventy percent (70%) of elementary student assignments to be*
- 7 *completed using paper and a pen, pencil, crayon, or similar writing tool;*
- 8 *(b) Each elementary student to have daily access to traditional materials,*
- 9 *including printed books or printed reading material; and*
- 10 *(c) Physical manipulatives to be incorporated into foundational mathematics*
- 11 *and science instruction for all elementary students.*
- 12 *(5) A public elementary school shall not:*
- 13 *(a) Permit instructional technology to replace traditional teacher instruction*
- 14 *and traditional materials for elementary students for:*
- 15 *1. Reading and literacy;*
- 16 *2. Foundational mathematics;*
- 17 *3. Science lessons requiring physical demonstration or manipulatives;*
- 18 *and*
- 19 *4. Social studies content knowledge;*
- 20 *(b) Assign elementary students homework that requires the use of instructional*
- 21 *technology;*
- 22 *(c) Require elementary students to carry instructional technology to and from*
- 23 *school daily; or*
- 24 *(d) Replace library time with instructional technology reading labs.*
- 25 *(6) Each local board of education shall adopt a written technology use policy*
- 26 *consistent with this section to:*
- 27 *(a) Promote the educational interests of elementary students;*

- 1 (b) Ensure that instructional technology supports, rather than supplants,
2 foundational learning;
- 3 (c) Establish daily screen-time limits for elementary students during the
4 instructional day; and
- 5 (d) Establish a process for a parent or guardian to request a lower screen-time
6 limit for his or her elementary student. The policy shall require that parents
7 and guardians receive written notice of this process within the first ten (10)
8 days of each school year.
- 9 (7) Each school district shall publish an annual report to the school's website that
10 includes:
- 11 (a) The average minutes per day that an elementary student uses instructional
12 technology by grade level;
- 13 (b) A list of digital instruction services used by elementary students in the
14 school district;
- 15 (c) Verification that traditional materials are provided to elementary students
16 enrolled in the district as required by subsection (4)(b) of this section; and
- 17 (d) Instructions for parents and guardians to request lower screen-time limits
18 for their elementary student.