

SPECIAL POLICY ALERT STUDENT USE OF TELECOMMUNICATION DEVICES

The LDOE Weekly Newsletter of January 28, 2025, included a notification that School Boards are required to develop or update their policy regarding student use of telecommunication devices based on recent revisions to BESE Bulletin 741, Louisiana Handbook for School Administrators, Section 1141. The Section requires School Boards to adopt a revised policy by January 1, 2025, and submit the policy to the Department of Education by March 1, 2025. Of note is that the latest version of Bulletin 741 did not come out until January, 2025. Forethought provides the following guidance based on our review.

The new provisions include prohibiting possession of "wearable technology capable of sending or receiving text messages and other similar notifications" during the instructional day. This prohibits students from wearing smart watches or similar devices.

In addition, the new provisions of Section 1141, *Electronic Telecommunication Devices*, require several components to be included in the policy:

- 1. A definition for instructional day to include start and ending times of the instructional day;
- 2. Applicability of the provisions to school sponsored events, including athletic competitions and field trips, taking place during an instructional day;
- 3. Acceptable means by which parents or guardians may contact students during the instructional day;
- 4. Prohibition of students from utilizing school-issued devices to access personal messaging features and social media accounts not used for educational purposes; and
- 5. Disciplinary regulations for a student who fails to comply with the policy on one or more occasions.

The "start and ending times" of the instructional day may vary from system to system. Unless the School Board has already included such times in its policy, we have included a general statement that the instructional day shall begin at the time students arrive on campus prior to the take-in bell, and conclude upon the dismissal bell at the end of the day. In our opinion, putting the actual times in the policy is problematic, start and end times vary within school systems statewide. In any instance where a current policy states "regular school day" or "academic day," the term "instructional day" has been used for consistency. However, each School Board can decide how to address this provision.

Whether or not the provisions are applicable to school-sponsored events appears to be a choice each school system can make. Although the statement included in the revised policy states that the provisions "shall apply" to school-sponsored events taking place during an instructional day, School Boards may choose to use "shall not apply."

To address "acceptable means by which parents may contact students during the instructional day," a statement has been added that parents can call the school's office. If a School Board has another method it prefers, this language can be adjusted accordingly.

A provision which prohibits students from utilizing school-issued devices to access messages or social media has been included as well.

School Boards are required by La. Rev. Stat. Ann. §17:416 to have Student Codes of Conduct which "include progressive levels of minor through major infractions and identify corresponding minor through major interventions and consequences." In our opinion, disciplinary measures for student violations should be included in the Code of Conduct and not in individual policies. Inclusion in a policy leads to the possibility that an administrative change is made to the Code of Conduct and not reflected in the policy, creating conflicting regulations.