

SESSION OF 2026

SUPPLEMENTAL NOTE ON SENATE BILL NO. 281

As Amended by House Committee of the Whole

Brief*

House Sub. for Sub. for SB 281, as amended, would require each public school district and permit each accredited nonpublic elementary and secondary school to adopt policies and procedures regarding the use of personal electronic communication devices (cell phones) and social media platforms. The bill would also provide indemnity for lost or damaged devices and exempt virtual schools.

Cell Phone Policies (Section 1)

The bill would require each public school district and accredited nonpublic elementary or secondary school to adopt policies and procedures to govern the use of cell phones by students during normal hours of the school day, including in the classroom, passing periods, and lunch time.

The policies and procedures would be required to:

- Prohibit students from using or accessing cell phones;
- Require all cell phones be turned off and securely locked or stowed away;
- Set forth enforcement procedures and disciplinary actions for violations of such policies and procedures;

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <https://klrd.gov/>

- Authorize any student to use a cell phone only if the use is:
 - Required for the implementation of a student's individualized education program (IEP) or 504 plan or approved by an individual licensed by the State Board of Healing Arts to practice medicine and surgery or a mid-level practitioner as defined in the Pharmacy Act as a medical necessity to support the health or well-being of the student; and
 - The intervention of last resort such that there is no other reasonable alternative available for such student;
- Authorize a student to contact the student's parent or person acting as parent through the use of a school telephone or other communications device that is designated and made available by the school for such purpose; and
- Authorize a student to access and use the student's cell phone during a designated open-lunch period when the student will leave the school grounds during such designated open-lunch period.

School-sponsored Activities

The bill would permit each public school district and each accredited nonpublic elementary or secondary school to adopt policies and procedures that limit or prohibit use of cell phones by students during school-sponsored activities or events that occur outside of the normal hours of the school day.

Definition

The bill would define “accredited nonpublic elementary or secondary school” to mean any nonpublic elementary or secondary school that is accredited by the State Board of Education (State Board).

The bill would define “personal electronic communication device” to mean any wireless electronic communication device that:

- Provides for voice, text or video communication between two or more parties, including, but not limited to, a mobile or cellular phone, tablet, computer, watch, wireless headphones or earbuds, text messaging device, or personal digital assistant; and
- Is not owned or issued to students by the school district or accredited nonpublic elementary or secondary school.

Social Media Policies (Section 2)

The bill would require each public school district and accredited nonpublic elementary or secondary school to adopt policies and procedures to prohibit their employees from privately or directly communicating with any student via a social media platform, texting, or telephone communication. The bill would exempt from this prohibition:

- Social media platforms that are approved by, under the control of, and monitored by the school district or accredited nonpublic school; and
- Communications between a student and an employee who is the parent or person acting as parent of such student.

The bill would assert that it would not prohibit school districts or accredited nonpublic elementary or secondary schools from approving and using an email platform or other similar communication platform to send communications to and receive communications from students. Any such email platform or other similar communication platform would be under the control of and monitored by such school district or accredited nonpublic school.

Definitions

The bill would define “accredited nonpublic elementary or secondary school” to mean the same as defined in the previous section.

The bill would define “official school purposes” to mean the broadcasting or posting of public, one-way communications that pertain to school functions, activities, or events. “Official school purposes” would not include private communications, direct communications, or two-way communications with any student.

The bill would also define “social media platform” and denote that it would include, but would not be limited to, Snapchat, Instagram, Facebook, X, and TikTok.

Certification (Section 3)

The bill would require each public school district and accredited nonpublic elementary or secondary school, as defined in a previous section of the bill, to submit a certification to the State Board on or before September 1, 2026, stating that the respective district or school has adopted the policies and procedures required by the bill. The submission would be made on a form and in a manner prescribed by the State Board.

The bill would grant the State Board permission to establish rules and regulations or other guidance as the Board determines necessary to carry out the provisions of this section.

Indemnity (Section 4)

The bill would state no school district or accredited nonpublic school could be held liable for any lost or damaged personal electronic communication device that is carried onto school premises.

Exception for Virtual Schools (Section 5)

The bill would designate that the provisions of the bill and any policies and procedures adopted thereunder would not apply to any virtual school as defined in the Virtual Schools Act.

Background

The House Committee on Education recommended a substitute bill incorporating provisions pertaining to school cell phone policies (amended provisions of HB 2421). The original provisions were removed from the bill.

[*Note:* Sub. for SB 281, as passed by the Senate, would have changed the Low-Income Family Postsecondary Savings Accounts Incentive (KIDS) Program by reducing the number of grants available, reducing expenditure auditing requirements, and sunseting the program on January 1, 2028. Similar provisions were included in SB 50, which was signed into law on April 8, 2025.]

HB 2421 – School Cell Phone Policies

The bill was introduced by Representatives Brantley, Butler, Chauncey, Goetz, Martinez, Oropeza, Steele, K. Williams, and Xu.

House Committee on Education

In the House Committee hearing, **proponent** testimony was provided by representatives of Kansas Action for Children, Kids Digital Health Hub, Smartphone Free Childhood US, and a former student member of the Blue Ribbon Task Force on Student Screen Time, who generally stated the bill's bell-to-bell cell phone restriction would help address the negative impacts of smartphones and social media on students' education and mental health. Proponents also discussed the provision prohibiting direct teacher-student communication via social media, saying that the bill would eliminate high-risk opportunities for predation.

Written-only proponent testimony was provided by Representative Martinez, Representative K. Williams, the author of *The Anxious Generation*, and representatives of Aligned, the American Psychological Association, Johnson County Mental Health Center, Kids Digital Health Hub, and the Kansas Catholic Conference, and 16 private citizens.

Neutral testimony was provided by representatives of Kansas Family Voice, Kansas State Board of Education, and five students from Turner High School. Conferees expressed support for the intent of the bill but raised concerns that a bell-to-bell policy may go too far, be expensive to implement, and may conflict with districts' decision-making power. One conferee requested that private schools be removed from the bill.

Opponent testimony was provided by representatives of the Kansas Association of School Boards, Kansas Parent Teacher Association (PTA), and United School Administrators, who generally expressed concern with the bill's reporting requirement and the supersession of many districts' existing device policies. Opponents requested the addition of a grandfather clause to permit districts' existing policies, removal of the reporting requirement, and removal of the reference to "accredited" private schools.

Written-only opponent testimony was provided by representatives of Central Christian Academy, Game On for Kansas Schools, Kansas PTA, Kansas National Education Association, USD 233 (Olathe), USD 259 (Wichita), USD 327 (Ellsworth), USD 377 (Atchison), and USD 512 (Shawnee Mission), and 15 private citizens.

No other testimony was provided.

The House Committee amended the bill to:

- Remove language that would have required school districts and accredited nonpublic schools to report the average amount of time that students were spending on an electronic device during a typical school day;
- Remove the phrase "for official school purposes" from the prohibition on employees of the school district or accredited nonpublic elementary or secondary school from privately or directly communicating with any student via a social media platform;
- Add to the definition of "social media platform" to require that any school district social media account be under control of and monitored by the school district;

- Add language that would hold school districts harmless for lost or damaged devices;
- Add language to the social media provision that would designate two-way texting and calling between a teacher and a student to be improper conduct, unless the teacher is the student's parent or person acting as parent;
- Remove language that would have specified that cell phones be locked or stowed away in a secure lockable pouch, phone locker, or other inaccessible locations;
- Make it optional, rather than mandatory, for accredited nonpublic elementary or secondary schools to adopt policies and procedures governing the use of cell phones by students during normal hours of the school day, including in the classroom, passing periods, and lunch time; and
- Remove the contents of Sub. for SB 281, as passed by the Senate, and insert the contents of HB 2421, as amended by the House Committee on Education.

House Committee of the Whole

The House Committee of the Whole amended the bill to:

- Require the participation of accredited nonpublic elementary or secondary schools in provisions of the bill;
- Define "accredited nonpublic elementary or secondary schools" as any nonpublic elementary or secondary school that is accredited by the State Board of Education;

- Allow a student to use their cell phone during a designated open-lunch period when the student would leave the school grounds;
- Clarify that the bill would not prohibit school districts or accredited nonpublic elementary and secondary schools from approving and using an email platform or other similar communication platform to send communications to and receive communications from students. Any such email platform or other similar communication platform would be under the control of and monitored by such school district or accredited nonpublic school; and
- Make conforming amendments.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, the Kansas Department of Education (KSDE) indicates enactment of the bill would have no fiscal effect on state aid to school districts or on the agency's administrative costs. However, because the bill does require school districts to ensure students do not have personal devices accessible during instructional time, school districts will have to evaluate a system to restrict access to personal communication devices. KSDE states it cannot estimate the cost for school districts to implement the provisions of the bill.

The Division of the Budget notes that some companies sell fabric pouches that need to be unlocked with a special device at the end of a school day, with a cost of approximately \$30 per student for the pouch, including training and support. Using the 446,000 weighted FTE student enrollment estimate from the Fall 2025 Education Consensus, a potential statewide cost for using a system like fabric pouches could cost \$13.4 million (\$30 cost per pouch X

446,000 students = \$13,380,000). However, the bill does not require a specific model or device for school districts to comply with so a district's cost could vary. This example is for illustrative purposes only. School district costs for implementation would vary depending on the system a school district would choose. Because the bill does not appropriate additional state aid, school districts would fund this additional cost with their existing general fund budgets in FY 2027.

Education; K-12 schools; cell phones; electronic device policies