FAQ
SB 2427 Ban on Wireless Communication Device

The below is guidance based on the current language in SB 2427. The Governor has yet to sign the proposed language into law. Further, ISBE is directed to provide a model policy by September 1, 2026, which could further modify the interpretation of the proposed statutory language. The word "law" is used throughout this document although it has not been signed into law to date.

Q: When must the District adopt a policy compliant with SB 2427 requirements?

The District must adopt a policy compliant with the minimum requirements set forth in SB 2427 by the 2027-2028 school year. However, if a school district has an already existing wireless communication device policy in place that limits wireless communication devices during a majority of or the entirety of the school day, the district may keep its existing policy in place through the 2030-2031 school year.

Q: When are students banned from using devices under SB 2427?

The policy must ban students from using a device during "school time" on a school campus. School times begins with the designated arrival time for students through the designated dismissal time for students, including instructional time, recess, lunch, and passing periods. It does not include a before-school or after-school activity or a student's presence at an off-campus learning opportunity.

This means students must be prohibited from using cell phones and devices while on school property "bell to bell", including recess, lunch, and passing periods. As referenced below, high schools may choose to allow students to use and possess a device during lunch and/or passing periods.

Q: Does this apply to field trips?

Schools are not required to prevent device use during field trips, as they are "off-campus learning opportunities". However, schools can choose to continue the prohibition during off-campus learning opportunities. The statutory language has minimum requirements that schools can exceed.

Q: Are schools required to prevent students from possessing/carrying cell phones and devices during the school day?

No, the language as drafted only requires prohibiting use of devices, it does not prohibit possession. As stated below, your policy must include guidance for storage of devices during the school day. Some schools may choose to allow students to maintain possession on their person or in backpacks. Others may choose to require students to keep their devices in lockers as a storage option.

Q: Are schools required to allow students to access their cell phones or devices during class time?

No, there is no requirement that students be allowed access to their devices during class time.

Q: What devices are prohibited?

The definition of wireless communication device is "any portable wireless device that has the capability to provide voice, messaging, or other data communication between 2 or more parties, including, but not limited to: (1) cellular telephones; (2) tablet computers; (3) laptop computers; (4) gaming devices; and (5) wearable devices, including smart watches or smart glasses, except if those devices have disabled the capability to provide messaging or transmit other data communications."

Smart watches and Meta AI glasses are included in the prohibition. There is an exception to allow students to possess smart watches and smart glasses if their messaging ability is turned off. However, schools can choose to be more restrictive than the law and prohibit students from wearing and using smart watches and glasses even if those capabilities are turned off.

Q: Does the law apply to school issued technology devices, such as Chromebooks?

No, the law is not applicable to any device that a school district or teacher has directly issued to, provided for, or required a student to possess and use for educational purposes.

Q: What must the policy include as minimum requirements?

(1) Prohibits students from using a wireless communication device during school time (subject to exceptions discussed below);

(2) Incorporate guidance for wireless communication device storage within a school building during school time;

(3) State the importance of uniform enforcement of the policy in each school and the handling of implementation of the policy in a trauma-informed, developmentally appropriate manner; and

(4) If a school as an administrative response for a violation of the policy by a student requires the student's parent or guardian to retrieve the wireless communication device at the building, provide an alternative case in which the parent or guardian is unable to appear in person.

Q: Can a school still require a parent/guardian to pick up a device when a student violates the policy?

Yes, schools can still require parents/guardians to pick up a student's device for violations of the policy. However, the policy must also have alternative options where a parent/guardian is unable to appear in person.

The law does not define this further. Therefore, we recommend coordinating with our office to determine what alternative options will be utilized and under what circumstances trigger the alternative pick up option. For example, if a parent refuses to come pick up the device, is that considered "unable to appear". Work, car troubles, and doctor appointments are a few situations to consider when crafting this portion of the policy.

Q: What are the exceptions to the device ban?

The following are required exceptions to the device ban:

(1) If a licensed physician determines that the possession or use of a wireless communication device is necessary for the health or well-being of the student and the student uses the wireless communication device prescribed by the licensed physician.

> Note: This is separate and apart from needs related to a student's IEP, Section 504 Plan, or medical condition. Without further clarification from ISBE or via a change in the current proposed language, a student can present a note from a doctor stating it is necessary for their health or well-being to possess and use the cell phone, and this circumvents the District's general ban on possession and use during the school day. We recommend coordinating with our office to develop procedures on processing any doctor's notes and implementing limits on the student's use and possession during the day.

(2) Use of wireless communication device to fulfill IEP, Section 504 Plan, health care provider's orders.

(3) Devices that are necessary for students who are English learners to access learning materials.

(4) If school personnel have determined, on a case-by-case basis, the device is necessary for a student caregiver who is routinely responsible for the care and well-being of a family member.

> Note: This is a case-by-case determination. We recommend the District develop internal procedures to address these circumstances.

(5) As otherwise required under state or federal law.

The policy may, but is not required to, contain the following exceptions:

(1) The school district may allow students to use and possess a device during a high school student's lunch and/or passing periods;

(2) If school personnel have authorized the student to use a device for educational purposes; and

(3) In the event of an emergency, which must be detailed in at least one of the school district's emergency and crisis response plans, protocols, or procedures.

Q: What discipline can be imposed for a violation of the policy?

Importantly, the District may not enforce the device policy through fees, fines, out of school suspension, expulsions, or the deployment of a school resource officer or local law enforcement.

Schools can issue other disciplinary measures, including in-school suspensions. Further, if a student engages in other gross disobedience or misconduct, discipline including out of school suspensions and expulsions may be issued.

For example, a student may not be suspended out of school for using their phone during class. However, if that student is making threats on the phone, inciting a fight, or violating another policy through the use of the device, the student can be subject to suspension or expulsion based on the circumstances.

Q: Where does the District need to post the policy?

The policy must be included in the student handbook and on the District's website. The policy must also be distributed annually by providing a hyperlink to the policy, or otherwise sending a copy, to parents/guardians and school staff, including new hires and substitutes when hired.

Q: Are there additional requirements for developing the policy?

The District must get input from the teacher's union representative, administrators, and parents/guardians. Student input is encouraged but not required. The policy must be reviewed every 3 years, which includes obtaining input from these groups.

Q: Are there protections for staff handling student devices?

Yes, the District and staff are immune from any liability resulting from damage to a device if the device is stored in good faith and in accordance with the school board's wireless communication device policy, unless damage was caused by willful and wanton conduct of the staff member.

We recommend the policy contains language regarding staff handling of devices. For example, if a student violates the policy and staff confiscate the phone, the policy should contain language regarding staff storage of the phone in the principal's office or other location.