FAQ for HB 2299
USD #313 Buhler Schools

Personal Communication Device Definition under Kansas Law
This term is defined in HB 2299 as a mobile or cellular phone, tablet, computer, watch, wireless headphones or earbuds, text messaging device or personal digital assistant not owned or issued to students by the school district.

1. **Can my student have wireless headphones?**

No. If students bring headphones to connect to their computers, they must be wired headphones.

2. **Can my students have a smartwatch? What happens if he/she has one?**

The law states that the smart watches are not allowed in the buildings and must be inaccessible to the student during the day. Buhler Schools will not be doing searches unless there is reasonable suspicion to conduct one. If the watch is seen as a distraction, Buhler Schools will follow the disciplinary procedures in the school handbook.

3. **Can my student keep their phone in their backpack but turned off?**

The law states that the cell phone must be inaccessible to the student during the day. Buhler Schools will not be doing backpack searches unless there is reasonable suspicion to conduct one.

4. **Will the district provide lockers for students? Can the student keep the cell phone in the locker?**

Students in grades 9-12 may request a student locker from the office and one will be issued to them. Students in grades 6-8 have assigned lockers that are issued at enrollment. The law states that the cell phone must be inaccessible to the student during the day. Buhler Schools will not be doing locker searches unless there is reasonable suspicion to conduct one.

5. **Does the cell phone law apply to staff?**

No. The cell phone law specifically addresses students only.

6. **Can my student take a cell phone on activity trips?**

Yes. The BOE has the authority to prohibit cell phone use on trips but Buhler Schools has chosen to allow students use of cell phones on activity/athletic trips.

7. **Can my student have their cell phone on the regular morning/afternoon bus route?**

Per our transportation handbook, “use of cell phones and other electronic devices is prohibited on all route buses to and from school.”
https://www.usd313.org/page/transportation-service

8. **What happens if my student needs to contact me during the day?**

All classrooms have school phones that may be used with permission from the instructor or they can stop by the office and ask to use the office phone.

9. **What if I need to contact my child during the day?**

Please call the office of the building they attend. We look forward to providing you with timely assistance.

10. **What if my student has a medical issue that requires them to use a cell phone or other personal device?**

Per HB2299, our district policy will grant an exception for students who need a device as an accommodation during the school day, if their IEP, Medical Plan or 504 Plan requires it as assistive technology for medically or educationally necessary purposes.
The law also grants an exception for students who need their device to manage a health issue, such as checking blood sugar. Parents are asked to contact their school nurse if their child has a medical need. Our school nurses/health services team will also be reaching out to those they know may require a device for medical reasons during the day.

11. **What if my student violates the school policy?**

Violations will be handled following our disciplinary procedures outlined in our student handbooks. Student handbooks can be found here:

- Elementary - https://aptg.co/mbF6RI
- PHMS - https://aptg.co/rhxSKC
- BHS - https://aptg.co/XI7kZH
- Ad Astra - https://aptg.co/CvtZ9V

SOCIAL MEDIA LAW/POLICY

"Social media platform" means an online website or application that permits a person to become a registered user, create an account or a profile for the primary purpose of creating, sharing or interacting with user-generated content that is publicly viewable by users. "Social media platform" includes, but is not limited to, snapchat, instagram, facebook, X and tiktok.

1. **Do Facebook pages that are administered by someone other than a staff member have to be deleted?**

No. The social media law only applies to staff employed by the district.

2. **Can a staff member be friends with a student on Facebook or other social media platforms (Instagram, etc)?**

No. The law specifically prohibits, “privately or directly communicating with any student through social media platforms.”

3. **Can a staff member that is a youth group leader or volunteers to coach a summer sport have a Facebook or social media account that includes communication to those students?**

No. There is no exception provided under this law for communication on any social media between staff and any student.

4. **Can a staff member have a Facebook page, Twitter/Instagram account, etc they manage for student recognitions and communication even if they shut off comments?**

By law, *the board of education of a school district or governing authority of an accredited nonpublic elementary or secondary school may approve a social media platform to be used for official school purposes.*

And by Board Policy IIBGC, *"If permission is granted, staff members will set up the page or account following all district policy, administrative procedures, and directives. This shall include, but may not be limited to, limiting the employee to using only board approved social media platforms for official school purposes and giving administrative access and editing rights to designated district or school officials."*

The Board approved a FB page for each building and one for the district to utilize in this manner.