



## ***Guidance Document for House Bill (HB) 1481 Implementation***

### **Prohibition on Student Use of Personal Communication Devices on School Property During the School Day**

*Note: This guidance is effective as of 7/31/2025. The guidance is subject to change.*

HB 1481 applies to both traditional school districts and open-enrollment charter schools and requires all school boards in the state to adopt a policy prohibiting student use of personal communication devices on school property during the school day.

This guidance document contains important considerations for school systems to evaluate when drafting a model policy, along with model language for the required policy. Every school board should carefully review the requirements in HB 1481 and ensure that its adopted policy complies with all such requirements. The default used in this guidance refers to a school district; open-enrollment charter schools should revise the language to fit their typical naming structure.

#### ***Guidance Related to Board policy and Student Code of Conduct:***

The statute specifies that the policy must establish disciplinary measures for violation of the policy. District school boards often view their local Student Code of Conduct as the board's "discipline policy" because of the numerous requirements in Texas Education Code (TEC), Chapter 37, Subchapter A, around Codes of Conduct and because the Code of Conduct requires approval of the board. Governing boards of open-enrollment charter schools also must adopt a Student Code of Conduct, as directed by TEC §12.131. School systems must decide what aspects of discipline will be communicated within their personal communication device policy, what aspects are codified in their Student Code of Conduct, or what aspects are codified in both places.

#### ***Guidance Related to Purpose of Policy***

*Notes: School systems may wish to include a small background statement as to why this policy is being adopted for better transparency with parents and other stakeholders.*

*Model Policy Language [revise as necessary]:*

Multiple studies have documented the harmful effects of cell phone and social media use on student well-being and academic progress. As a result, Texas law requires public schools to prohibit the use of personal communication devices during the school day on school property. This policy is adopted to implement this requirement and improve the quality of the learning environment in our schools.

## Policy Section: Definitions

*Notes: To provide students, families, and staff with necessary clarity, it is important for each school system to define the terms “school property” and “school day”. A school may find the need to define “use” and “possession” for purposes of the policy as well.*

*Additionally, some school systems have programs where students bring their own laptop or tablet to school for instructional purposes; there is sample language and guidance for additional considerations below.*

*Model Policy Language [revise as necessary]:*

For purposes of this policy:

- “school property” means anywhere on a school’s campus or in a district facility where instruction is provided, including but not limited to: classrooms, hallways, gyms, cafeterias, band halls and all other extracurricular spaces; outdoor fields, tracks, and other athletic areas; all breezeways, courtyards, playgrounds, and other outdoor areas, specifically including all school parking lots.
  - *[Optional policy to note specific exclusions: “school property” excludes off-site education locations where the facility is subject to rules outside the control of the school district. This includes off-site dual credit college course attendance. While at an off-site educational location, students must follow any communication device requirements in place at that location.]*
  - *[Optional consideration for school systems with virtual instruction programs: “school property” excludes students learning from home or another off-site location as part of the district’s virtual instruction program.]*
- “school day” means the time of day beginning with the first bell of the day and ending with the last bell of the day.
  - *[Optional policy clarification for extracurricular activities: Before- or after-school activity for a school-sponsored extracurricular activity is [ / is not ] part of the school day. Note: school systems may include these activities as part of the school day by default, but might choose to allow targeted exceptions.]*
  - *[Optional policy addition for time spent on travel to and from school: The school day also includes time riding to and from school on school buses. Note: school systems may find this option too logistically difficult barring an environment where bus drivers are joined by bus monitors. If the school system does define school day as time spent on buses, consider adding school buses in the definition of school property as well.]*
- “use” is defined as a device in possession of a student that is turned on and capable of receiving or sending a communication signal.
- “possession” is defined as being on the person of the student, directly held, in pockets, in a backpack, in a pouch, or otherwise accessible and under the control of the student directly.
- *[Optional policy addition if school will use secure storage pouches: “secured storage pouch” is a bag or pouch provided by the school system to the student in which a personal communication device can be placed while powered off and secured in a way that prevents it from being easily opened.]*

- “personal communication device” is defined in Texas Education Code Section 37.082(d). It also includes any wearable technology that is capable of digital communication or telecommunication, like glasses.
  - *[Optional policy addition for BYOD school systems: The definition does not include a laptop or tablet owned by a student that is authorized, operated, and functions as provided to the student as part of the district’s bring-your-own-device (BYOD) program, which disables the device’s ability to engage in communication with other devices except those devices that are part of the school system’s instructional program, is used under observation by and at the direction of a teacher, during school time when instruction is occurring, and used in accordance with the district’s BYOD acceptable use policies.]*

### ***Guidance related to personally owned laptops or tablets used as part of a BYOD instructional program:***

Some school systems in Texas operate under a Bring Your Own Device (BYOD) framework, where students bring laptops or tablets from home for use during instruction. TEC, §37.082(d) does not explicitly mention laptops as examples of personal communication devices but does mention tablets. Even without explicit mention, laptops likely meet the definition of a communication device. The statute excludes devices, laptops or otherwise, provided by the school system as it reads, “the term does not include an electronic device provided to a student by a school district or open-enrollment charter school.”

A personally owned laptop or tablet brought to school and used for instruction would likely be prohibited under the new law, absent a technological solution that prevented the laptop from being a communication device and absent a set of BYOD operational procedures that serve the purpose of managing and providing the device to the student by the school system for instruction.

Prior to the passage of HB 1481, many school systems operating a BYOD program had policies that prohibited personal use of personally owned devices by restricting use only to instructional purposes, as well as requiring connection to the school’s network. Connecting to the school’s network authorized the district to monitor user activity to ensure use was not in violation of acceptable use policies and that the same filtering capabilities could be used on personally owned devices as on district-owned devices.

As a result of the passage of HB 1481, school systems that wish to continue their BYOD programs should carefully review this decision with their information technology staff and local legal counsel.

Note on multi-factor authentication: Some school systems (and in some cases, partners like dual credit college course providers) use instructional applications that require multi-factor authentication. In some cases, school systems (or their community college partners) have relied on student cell phones as the second factor authentication tool. School systems will likely need to take steps to ensure that any multi-factor authentication is done on devices issued by the school system, sometimes on the same devices used for instruction. Consult your school system (or community college partner) technology staff to facilitate any change in configuration.

## **Guidance Related to Overall Scope of Policy**

*Notes: The statute requires that the policy, at a minimum, (a) state that student use of personal communication devices is prohibited on school property during the school day, and (b) establish disciplinary measures to be imposed for violation of the prohibition. The policy may be more expansive. Model policy language has been provided below that prohibits possession, going slightly beyond the minimum language of statute, and separately an example has been included that allows possession.*

### **Policy Variant for No Possession**

#### **Possession of Personal Communication Device Prohibited**

*Notes: Within the policy, school systems may determine that possession is not allowed at all. This would increase the likelihood of meeting the purpose of the policy to improve the quality of the learning environment.*

*Model Policy Language – Variant for No Possession [revise as necessary]:*

Except as identified in this policy, no student shall be authorized to possess a personal communication device while on school property during the school day.

#### **If Possession Is Prohibited, Describe Procedure for Device Collection and Retrieval if Student Brings Device to School**

*Model Policy Language [revise as necessary]:*

In the event a student brings a personal communication device to school, the student must bring the device to the designated device holding area (e.g., *main office*) when the school day begins where it must remain for the entirety of the school day. [Variant if Prohibited on School Buses] Students who possess a personal communication device must surrender the device to the school bus driver and follow the above directions upon arrival to the school.

Each school is responsible for adopting a written procedure approved by the superintendent or designee describing how and where students retrieve their personal communication devices from the designated location (e.g., *main office*) at the end of the school day. At the conclusion of the school day, subject to any other limitations contained in this policy, each student may retrieve their devices pursuant to the approved procedures.

### **Policy Variant for Possession**

#### **Possession of Personal Communication Device**

*Notes: Within the policy, school systems may determine that different grade levels operate with a different policy application. For example, with regard to possession (vs use) of a personal communication device, schools might have different rules for elementary school students (e.g., no possession allowed on campus at all) compared to grades 6-12 (e.g., possession on campus permitted for middle and high school students but they must use secured storage pouches).*

*Model Policy Language – Variant for Possession at Certain Grade Levels*

Except as identified in this policy, [no student in elementary or middle school] shall be authorized to possess a personal communication device while on school property during the school day.

[High school] students shall be allowed to possess a personal communication device during the school day on school property, subject to the limitations below.

### ***If Possession Is Allowed, Designate Method to Prevent Unlawful Use***

*Notes: If a school system allows certain students to possess personal communication devices on school property during the school day, the school's policy should designate a method to prevent use during the school day. School systems have discretion to choose an option that is best suited for their individual context.*

*If a school system permits possession of personal communication devices, school systems may consider instituting a requirement for students to use secured storage pouches for school-day storage to prevent use. The legislature appropriated one-time grant funds to assist school systems in initially purchasing items such as secured storage pouches if local policy supports that approach. If these storage pouches are not used, the school system should carefully describe the expectations to keep devices secured and not used during the school day.*

*Model Policy Language – Variant for Possession with Secure Storage Pouch [revise as necessary]:*

[High school] students must contain their personal communication devices, powered off, within a secured storage pouch as described below.

*Model Policy Language – Variant for Possession without Secure Storage [revise as necessary]:*

[High school] students must keep a personal communication device powered off the entirety of the school day while on school property and must keep it out of reach in the student's locker or in a backpack.

### ***If Possession is Allowed, Describe Beginning of Day Procedures***

*Model Policy Language [revise as necessary]:*

When the school day begins, each student shall power off all personal communication devices and ensure their personal communication device(s) remains unused by [select from the following or revise as necessary]

- inserting the device(s) into a district-issued secured storage pouch and secure the pouch as per the pouch instructions;
- securing the device(s) in the student's backpack for the entirety of the school day; students should not hold / have a device in their hands at any time during the school day; students found physically accessing the device, either in the open or by attempting to access within a backpack, are in violation of the policy.

### ***If Possession is Allowed, Describe End of School Day Procedures***

*Notes: It is recommended that the school system's policy should either (a) establish common end-of-school-day procedures by which all campuses must comply, (b) require each relevant campus to establish their own procedures subject to the approval by the superintendent or designee, or (c) a combination of (a) and (b).*

*Model Policy Language [revise as necessary]:*

- *If possession is permitted and the school's selected storage option is pouches:* Each school is responsible for adopting a written procedure describing how and where students may unlock their pouches at the end of the school day, which must be approved by the superintendent or designee. At the conclusion of the school day, subject to any other limitations contained in this policy, each student may unlock their pouches pursuant to the approved procedures.
- *If possession is permitted and the school's selected storage option is backpacks or lockers:* At the conclusion of the school day, subject to any other limitations contained in this policy, each student may begin using their personal communication devices.

### ***Fees for Lost or Damaged Storage Pouches***

*Notes: A board may require payment of a security deposit for the return of materials, supplies, or equipment in accordance with TEC, Sections 11.158(a)(3) and 12.108(b); model policy language has been provided below if storage pouches are issued to students and a security deposit will be required. If the school system intends to charge a fee that is not considered a security deposit, consult with your local legal counsel.*

*Model Policy Language [revise as necessary]:*

Each student must pay a [\$25] security deposit for the storage pouch issued to the student in the event the pouch is lost or damaged. When pouches are returned in good condition, the security deposit will be returned. A parent who is unable to pay this fee may contact the principal to inquire whether the fee can be waived. Whether a pouch is damaged is determined by the principal or designee.

### ***Disciplinary Measures for Violations***

*Notes: The statute states that the district's policy "must establish disciplinary measures to be imposed for violation of the prohibition and may provide for confiscation of the personal communication device." Thus, disciplinary measures must be included in the district's policy (either in the policy document itself, in the Student Code of Conduct policy, or both). Such disciplinary measures may include confiscation.*

*Model Policy Language [revise as necessary]:*

Each school must designate an appropriately secured location in the school (e.g., a portion of the main office) where confiscated student personal communication devices shall be kept, and a process to ensure the school can identify which student is the owner of each device that is kept.

All district administrators and school-based staff members are authorized to confiscate a personal communication device used in violation of this policy. If a staff member confiscates a student device, the staff member should bring the device to the designated storage location when convenient during the day, and the staff member remains responsible for the device until then.

A student who violates this policy is subject to the following disciplinary measures, subject to and in accordance with the district's Student Code of Conduct (SCOC), including any progressive sanctions for ongoing violations:



### ***First Offense [or: First Offense During Semester / Grading Period]***

- The device shall be confiscated and stored in the main office for the remainder of the school day; the student's parent or guardian will be notified.
- The school shall issue a written warning to both the student and the parent or guardian about further consequences for failing to comply with this policy.
- Only the student's parent or guardian is permitted to pick up confiscated devices.

### ***Second Offense***

- The device shall be confiscated and stored in the main office for the remainder of the school day; the student's parent or guardian will be notified.
- Only the parent or guardian is permitted to pick up confiscated devices.
- The student will be assigned one day of in-school suspension (ISS).

### ***Third Offense (and higher)***

- The device shall be confiscated and stored in the main office until the conditions for retrieval after a third offense (or higher) are met; the student's parent or guardian will be notified of the requirement for an in-person meeting.
- The parent or guardian will be permitted to retrieve confiscated devices only after an in-person meeting with the principal or designee, student, and parent or guardian in attendance.
- The student will be assigned 2-3 days of in-school suspension (ISS).
- The school may impose additional consequences as outlined in the Student Code of Conduct for continued refusal to follow the rules.

If a personal communication device is not retrieved by a parent or guardian within two weeks of the school sending notice, the school shall send a second notice that specifies that the school will dispose of the device if not retrieved within 90 days of the second notice. The school may dispose of the device if not retrieved within 90 days of sending a second notice to the student's parent or guardian.

*Note on fees for retrieval of confiscated devices: The above example does not include the concept of charging a fee for the student's parent to retrieve a confiscated device. HB 1481, through its revisions to TEC, §37.082(b), removed the explicit authority to charge an administrative fee of up to \$15 for the retrieval of a confiscated device. Because there is no longer express authority to charge a fee for this reason, school systems will need to consult with their local legal counsel if they plan to continue this practice.*

### ***Exceptions to the Prohibition of Use [and Possession] of a Personal Communication Device***

*Notes: HB 1481 requires exceptions to this policy for certain purposes. It will be important to establish communication protocols among staff given that inevitably students, staff, and parents will likely notice that some students are able to use devices during the school day under these exceptions.*

*Model Policy Language [revise as necessary]:*

Each principal must maintain a list of students for whom an exception applies and any limitations/ situations to which the exception applies. Principals must ensure that all appropriate staff are made aware of each student's authorized exception to use personal communication devices.

The following exceptions apply to this policy:

- A student who has a documented need to use a personal communication device in an individualized education program (IEP), Section 504 accommodation plan, individualized health plan, or other similar program or plan.
- A student has a documented need to use a personal communication device based on a directive from a qualified physician; a directive must be submitted to the campus principal. A qualified physician for purposes of this policy shall mean a physician licensed to practice in Texas. The directive must state the conditions under which the student would need to access and use their personal communication device during the school day on school property. The parent may be asked to sign consent for school staff to contact the physician should the school need more information in order to comply with the directive. Use authorized under this provision should be conducted in a manner that minimizes disruption to instruction and the school environment, and may be subject to reasonable limitation on time, place and manner as determined by principal or designee. Authorization under this provision can be revoked if the device is being used in a way that is found to disrupt the learning environment.
- If the superintendent determines that a legally required health or safety requirement would authorize or require the use of a personal communication device, the superintendent shall notify all appropriate staff of the circumstances by which this would be authorized or required. The school board must vote to approve any use under this exception.
- Campus principals are authorized to use discretion in permitting student use of personal communication devices in emergency circumstances. Any use permitted under this exception must be reported to the board during the next regularly scheduled school board meeting.

Any student who is provided an exception in accordance with the above remains subject to disciplinary measures if the student uses a personal communication device outside the scope of the documented authorized use.

### ***School Liability when a Device is in the School's Possession***

*Notes: School systems will need to ensure appropriate steps and precautions are taken to ensure confiscated or stored devices are not damaged or lost while in possession of the school. However, school systems should also consider what happens in the event that a device they take possession of is lost or damaged.*

*Model Policy Language [revise as necessary]:*

If a personal communication device is in the possession of the school, the school will take appropriate efforts to keep the device appropriately stored and free from damage. However, parents should note ***the school specifically disclaims any liability for devices that are damaged or lost while in the school's possession.*** Parents will not be compensated for devices that have



been in the school's possession in the event those devices are lost or damaged while in possession of the school.

### ***Additional Campus Procedures***

*Notes: The board may wish to authorize each principal or designee to create additional procedures to communicate with students and parents that align with the policy. For example, establishing procedures related to leaving before the end of the day, locations of unlocking stations if pouches are used, procedures if student forgets their assigned pouch, etc.*

## **Appendix A**

Example Resources From Texas School Systems:

- Richardson ISD – [Cell Phone Guidelines](#)
- Killeen ISD – [Phone Free Policy](#)
- Coppell ISD – [Cell Phone/Personal Devices Policy](#)
- Fort Worth ISD – [Personal Communication Device Restrictions Policy](#)
- La Vega ISD – [Phone-Policy.pdf](#)
- Woodville ISD – [Parent Letter.docx](#)