

\*LRB10412240LNS25655a\*

Rep. Michelle Mussman

Filed: 4/30/2025

10400SB2427ham001

LRB104 12240 LNS 25655 a

1 AMENDMENT TO SENATE BILL 2427

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 2427 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The School Code is amended by adding Sections  
5 10-20.88, 27A-5.3, and 34-18.14a as follows:

6 (105 ILCS 5/10-20.88 new)

7 Sec. 10-20.88. Wireless communication device policy.

8 (a) As used in this Section:

9 ~~"Instructional School time" means the time during a school~~  
~~day~~

10 ~~students spend in the school building, including instructional~~  
~~time, recess, and passing time. School time may include lunch time.~~  
~~learning and participating in school~~

11 ~~activities. "Instructional time" does not include recess,~~  
12 ~~passing time, or lunch time.~~

13 "Wireless communication device" means any portable  
14 wireless device that has the capability to provide voice,  
15 messaging, or other data communication between 2 or more  
16 parties, including, but not limited to:

1           (1) cellular telephones;  
2           (2) tablet computers;  
3           (3) laptop computers;  
4           (4) gaming devices; and  
5           (5) wearable devices, including smart watches or smart  
6           glasses.

7           "Wireless communication device" does not include any device  
8           that a school district or teacher has directly issued to,  
9           provided for, or required a student to possess and use for  
10           educational purposes ~~during instructional time.~~

11           "Safe and accessible storage" means storage in a student locker,  
12           cell phone locker, magnetized or lockable pouch, or other container  
13           maintained in a secure location. Maintaining wireless communication  
14           devices in a student pocket or otherwise on their person is not  
15           considered secure and accessible storage.

16           "School community" means school teachers, staff, administrators,  
17           students, and parents.

18           (b) On or before the 20276-20287 school year, each school  
19           board shall adopt and implement a wireless communication  
20           device policy that:

21           (1) at a minimum, prohibits a student from using a  
22           wireless communication device during ~~school instructional~~  
23           time,  
24           except as otherwise provided in subsections (c) and (d);

~~19 and~~

20           (2) incorporates guidance for secure and accessible  
21           storage of wireless devices within a school building  
22           during school ~~instructional~~ time; ~~or directs the~~  
23           ~~district~~

~~23 superintendent or his or her designee to provide such~~  
~~24 guidance. However, this paragraph (2) does not preclude a~~

~~25 school district from prohibiting the use or possession of~~  
~~26 wireless communication devices for students not meeting~~  
~~27 one of the exceptions set forth in subsection (c) or (d).~~

28 (3) provides a student may contact the student's parent or  
guardian, and, for students who are parents, caregivers of  
their children, during the school day by using a telephone made  
available to the student in a manner and location designated by  
the school; and

29 (4) outlines a set of reasonable consequences for  
violations of the policy. If the policy includes a consequence  
that requires parents or guardians to retrieve the cell phone  
at the school building, an alternative shall be provided for  
cases in which the parents or guardians are unable to appear in  
person.

30 (c) The policy adopted and implemented under subsection

1 (b) may not prohibit a student from using a wireless  
2 communication device during ~~school instructional~~ time under  
3 the  
4 following circumstances:

5 (1) if a licensed physician, physician assistant, or  
6 nurse practitioner determines that the possession or use  
7 of a wireless communication device is necessary for the  
8 management of the student's health care and the student  
9 uses the wireless communication device ~~only~~ as prescribed by  
10 the licensed physician, physician assistant, or nurse  
11 practitioner;

12 (2) to fulfill an individualized education program, a  
13 plan developed under Section 504 of the federal  
14 Rehabilitation Act of 1973, the student's health care  
15 provider's medical orders, or another written  
16 accommodation plan; or

17 (3) ~~if school personnel have determined~~ the wireless  
18 communication device is necessary  
19 for students who are English learners, as defined in  
20 Section 14C-2 of this Code, to access learning materials.

21 (d) The policy adopted and implemented under subsection  
22 (b) may allow for the following exceptions:

23 (1) if school personnel have authorized the student to  
24 use a wireless communication device for educational  
25 purposes; and

26 (2) in the event of an emergency as detailed in at  
least one of the school district's emergency and crises  
response plans, protocols, or procedures.

- 1       (e) No school district may enforce the wireless  
2 communication device policy through fees, fines,  
3 suspensions, expulsions, or the  
4 deployment of a school resource officer or local law  
5 enforcement officer.
- 6       ~~(f) Each school board shall review its wireless~~  
7 ~~communication device policy at least once every 3 years and~~  
8 ~~make any necessary and appropriate revisions to the policy. The~~  
9 ~~development of the policy in subsection (b) shall include input from~~  
10 ~~the school community. Each school board shall review its wireless~~  
11 ~~communication device policy once every three years and make any~~  
12 ~~necessary and appropriate revisions to the policy. During this~~  
13 ~~review, each school board shall engage the school community for~~  
~~input and consider any available data on student discipline. The~~  
~~development and review of the wireless communication device policy~~  
~~in this subsection (f) may be accomplished through the use of the~~  
~~parent-teacher advisory council set forth in Section 10-20.14 of~~  
~~this Code.~~
- 8       ~~(g) Before implementation of the policy in subsection (b), and with~~  
9 ~~every update to the policy, each school shall provide training to~~  
10 ~~all educators and staff on the tenets of the policy, the roles and~~  
11 ~~responsibilities of staff members, the importance of uniform~~  
12 ~~enforcement, and the handling of implementation in a trauma-~~  
13 ~~informed, developmentally-appropriate manner.~~
- 9       ~~(h) Any school personnel storing a wireless communication device in~~  
10 ~~good faith and in accordance with the school's policy shall be~~  
11 ~~immune from any liability resulting from damages to the wireless~~  
12 ~~communication device. This subsection shall not apply if the damage~~  
13 ~~to the wireless communication device is caused by the willful and~~  
~~wanton conduct of the school personnel.~~
- 10       ~~(i) A school district shall notify all parents~~  
11 ~~and guardians of the new wireless~~  
12 ~~communication device policy and publicly~~  
13 ~~post the policy~~  
~~adopted and implemented under subsection (b) on its website, if it~~  
~~has one.~~
- 12       ~~If the school district does not operate a website, then the~~  
13 ~~school district shall provide a copy of the policy adopted and~~

~~14 implemented under subsection (b) to the parents or guardians~~

~~15 of every student enrolled in the school district.~~

(j) By June 1, 2027, the State Board of Education shall post on its website a template for a model wireless communication device policy.

14 (105 ILCS 5/27A-5.3 new)

15 Sec. 27A-5.3. Wireless communication device policy.

16 (a) As used in this Section:

17 "Instructional time" means the time during a school day  
18 students spend learning and participating in school  
19 activities. "Instructional time" does not include recess,  
20 passing time, or lunch time.

21 "Wireless communication device" means any portable  
22 wireless device that has the capability to provide voice,  
23 messaging, or other data communication between 2 or more  
24 parties, including, but not limited to:

25 (1) cellular telephones;

Commented [LV1]: Will copy over amendment to other sections of statute once finalized

1 (2) tablet computers;

2 (3) laptop computers;

3 (4) gaming devices; and

4 (5) wearable devices, including smart watches or smart  
5 glasses.

6 "Wireless communication device" does not include any device  
7 that a charter school or teacher has directly issued to,  
8 provided for, or required a student to possess and use for  
9 educational purposes during instructional time.

10 (b) Beginning with the 2026-2027 school year, each charter  
11 school shall adopt and implement a wireless communication  
12 device policy that:

13 (1) at a minimum, prohibits a student from using a  
14 wireless communication device during instructional time,  
15 except as otherwise provided in subsections (c) and (d);  
16 and

17 (2) incorporates guidance for secure and accessible  
18 storage of wireless devices within a school building  
19 during instructional time. However, this paragraph (2)  
20 does not preclude a charter school from prohibiting the  
21 use or possession of wireless communication devices for  
22 students not meeting one of the exceptions set forth in  
23 subsection (c) or (d).

24 (c) The policy adopted and implemented under subsection  
25 (b) may not prohibit a student from using a wireless  
26 communication device during instructional time under the

1 following circumstances:

2 (1) if a licensed physician, physician assistant, or  
3 nurse practitioner determines that the possession or use  
4 of a wireless communication device is necessary for the  
5 management of the student's health care and the student  
6 uses the wireless communication device as prescribed by  
7 the licensed physician, physician assistant, or nurse  
8 practitioner;

9 (2) to fulfill an individualized education program, a  
10 plan developed under Section 504 of the federal  
11 Rehabilitation Act of 1973, the student's health care  
12 provider's medical orders, or another written  
13 accommodation plan; or

14 (3) if the wireless communication device is necessary  
15 for students who are English learners, as defined in  
16 Section 14C-2 of this Code, to access learning materials.

17 (d) The policy adopted and implemented under subsection  
18 (b) may allow for the following exceptions:

19 (1) if school personnel have authorized the student to  
20 use a wireless communication device for educational  
21 purposes; and

22 (2) in the event of an emergency as detailed in at  
23 least one of the charter school's emergency and crises  
24 response plans, protocols, or procedures.

25 (e) No charter school may enforce the wireless  
26 communication device policy through fees, fines, or the

1 deployment of a school resource officer or local law  
2 enforcement officer.

3 (f) A charter school shall review its wireless  
4 communication device policy at least once every 3 years and  
5 make any necessary and appropriate revisions to the policy.

6 (g) A charter school shall publicly post the policy  
7 adopted and implemented under subsection (b) on its website.  
8 If the charter school does not operate a website, then the  
9 charter school shall provide a copy of the policy adopted and  
10 implemented under subsection (b) to the parents or guardians  
11 of every student enrolled in the charter school.

12 (105 ILCS 5/34-18.14a new)

13 Sec. 34-18.14a. Wireless communication device policy.

14 (a) As used in this Section:

15 "Instructional time" means the time during a school day  
16 students spend learning and participating in school  
17 activities. "Instructional time" does not include recess,  
18 passing time, or lunch time.

19 "Wireless communication device" means any portable  
20 wireless device that has the capability to provide voice,  
21 messaging, or other data communication between 2 or more  
22 parties, including, but not limited to:

23 (1) cellular telephones;

24 (2) tablet computers;

25 (3) laptop computers;

1           (4) gaming devices; and

2           (5) wearable devices, including smart watches or smart  
3           glasses.

4           "Wireless communication device" does not include any device  
5           that the school district or teacher has directly issued to,  
6           provided for, or required a student to possess and use for  
7           educational purposes during instructional time.

8           (b) On or before the 2026-2027 school year, the board  
9           shall adopt and implement a wireless communication device  
10           policy that:

11           (1) at a minimum, prohibits a student from using a  
12           wireless communication device during instructional time,  
13           except as otherwise provided in subsections (c) and (d);  
14           and

15           (2) incorporates guidance for secure and accessible  
16           storage of wireless devices within a school building  
17           during instructional time or directs the general  
18           superintendent of schools or his or her designee to  
19           provide such guidance. However, this paragraph (2) does  
20           not preclude the school district from prohibiting the use  
21           or possession of wireless communication devices for  
22           students not meeting one of the exceptions set forth in  
23           subsection (c) or (d).

24           (c) The policy adopted and implemented under subsection  
25           (b) may not prohibit a student from using a wireless  
26           communication device during instructional time under the

1 following circumstances:

2 (1) if a licensed physician, physician assistant, or  
3 nurse practitioner determines that the possession or use  
4 of a wireless communication device is necessary for the  
5 management of the student's health care and the student  
6 uses the wireless communication device as prescribed by  
7 the licensed physician, physician assistant, or nurse  
8 practitioner;

9 (2) to fulfill an individualized education program, a  
10 plan developed under Section 504 of the federal  
11 Rehabilitation Act of 1973, the student's health care  
12 provider's medical orders, or another written  
13 accommodation plan; or

14 (3) if the wireless communication device is necessary  
15 for students who are English learners, as defined in  
16 Section 14C-2 of this Code, to access learning materials.

17 (d) The policy adopted and implemented under subsection

18 (b) may allow for the following exceptions:

19 (1) if school personnel have authorized the student to  
20 use a wireless communication device for educational  
21 purposes; and

22 (2) in the event of an emergency as detailed in at  
23 least one of the school district's emergency and crises  
24 response plans, protocols, or procedures.

25 (e) The school district may not enforce the wireless  
26 communication device policy through fees, fines, or the

1 deployment of a school resource officer or local law  
2 enforcement officer.

3 (f) The board shall review its wireless communication  
4 device policy at least once every 3 years and make any  
5 necessary and appropriate revisions to the policy.

6 (g) The school district shall publicly post the policy  
7 adopted and implemented under subsection (b) on its website."