

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 663

BY EDUCATION COMMITTEE

AN ACT

1 RELATING TO EDUCATION; AMENDING SECTION 33-132, IDAHO CODE, TO REVISE PROVI-  
2 SIONS REGARDING SCHOOL DISTRICT INTERNET USE POLICIES AND TO MAKE TECH-  
3 NICAL CORRECTIONS; AMENDING CHAPTER 16, TITLE 33, IDAHO CODE, BY THE AD-  
4 DITION OF A NEW SECTION 33-1637, IDAHO CODE, TO ESTABLISH PROVISIONS RE-  
5 GARDING DIGITAL LITERACY; AND DECLARING AN EMERGENCY AND PROVIDING AN  
6 EFFECTIVE DATE.  
7

8 Be It Enacted by the Legislature of the State of Idaho:

9 SECTION 1. That Section 33-132, Idaho Code, be, and the same is hereby  
10 amended to read as follows:

11 33-132. LOCAL SCHOOL BOARDS -- INTERNET USE POLICY REQUIRED. (1) As  
12 a condition for receiving moneys from the state general fund, each local  
13 school district shall file an acceptable internet use policy with the state  
14 superintendent of public instruction no later than August 1, 2011, or within  
15 one (1) year after the creation of a new district, whichever is later,  
16 and every five (5) years thereafter. Such policy shall be approved by the  
17 district's board of trustees and shall contain, but not be limited to, pro-  
18 visions that:

19 (a) Prohibit and prevent the use of school computers and other school  
20 owned technology-related services from sending, receiving, viewing or  
21 downloading materials that are deemed to be harmful to minors, as de-  
22 fined by section 18-1514, Idaho Code; ~~and~~

23 (b) Provide for the selection of technology for the local district's  
24 computers to filter or block ~~internet~~:

25 (i) Internet access to obscene materials, materials harmful to  
26 minors and materials that depict the sexual exploitation of a mi-  
27 nor, as defined in chapter 15, title 18, Idaho Code; ~~and~~

28 (ii) Email, chat rooms, and other forms of direct electronic com-  
29 munications containing obscene materials harmful to minors and  
30 that depict the sexual exploitation of a minor, as defined in chap-  
31 ter 15, title 18, Idaho Code;

32 (iii) Unauthorized access to protected personal data of staff and  
33 students, and access to tools that can be used to breach systems to  
34 access this data, except as part of educational programs covering  
35 cyber security; and

36 (iv) Access to websites, web applications, or software that does  
37 not protect against the unauthorized disclosure, use, or dissemi-  
38 nation of students' personal information;

39 (c) Authorize local education agencies to prohibit students from us-  
40 ing personal wireless communications during instructional time except  
41 as authorized by a teacher for educational purposes;

1 (d) Prohibit and prevent students from accessing social media plat-  
 2 forms through the use of internet access provided by the school  
 3 district, except for platforms the school district or school has iden-  
 4 tified for students' educational use, or when expressly directed by a  
 5 teacher solely for educational or career exploration purposes;

6 ~~(e)~~ (e) Establish appropriate disciplinary measures to be taken  
 7 against persons violating the policy provided for in this section; and

8 ~~(d)~~ (f) Include a component of internet safety for students and the  
 9 risks of social media use that is integrated into the district's in-  
 10 structional program pursuant to section 33-1367, Idaho Code; and

11 ~~(e)~~ (g) Inform the public that administrative procedures have been  
 12 adopted to enforce the policy provided for in this section and to handle  
 13 complaints about such enforcement, and that such procedures are avail-  
 14 able for review at the district office.

15 (2) The policy provided for in subsection (1) of this section may  
 16 include terms, conditions and requirements deemed appropriate by the dis-  
 17 trict's board of trustees, including, but not limited to, requiring written  
 18 parental authorization for internet use by minors or differentiating ac-  
 19 ceptable uses among elementary, middle and high school students.

20 (3) The district's superintendent is hereby authorized to take reason-  
 21 able measures to implement and enforce the provisions of this section.

22 (4) The school district shall make its internet use policy created pur-  
 23 suant to this section available online. The school district shall notify  
 24 parents of the availability of its internet use policy.

25 SECTION 2. That Chapter 16, Title 33, Idaho Code, be, and the same is  
 26 hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
 27 ignated as Section 33-1637, Idaho Code, and to read as follows:

28 33-1637. DIGITAL LITERACY. (1) Each school district, specially  
 29 chartered district, and public charter school serving students in grades 6  
 30 through 12, or any combination thereof, shall provide instruction to all  
 31 students in grades 6 through 12 in digital literacy.

32 (2) "Digital literacy" means the ability to use technology effectively  
 33 and critically to access, analyze, evaluate, create, and communicate infor-  
 34 mation.

35 (3) Digital literacy instruction shall include the following core com-  
 36 petency areas:

37 (a) Digital citizenship, including responsible online behavior, cy-  
 38 berbullying, digital footprints, privacy protection, and identifying  
 39 predatory behavior;

40 (b) Information literacy, including evaluating online sources, re-  
 41 search skills, and identifying bias;

42 (c) Digital communications, including social media awareness and the  
 43 potential risks associated with using social media;

44 (d) Digital safety, including cybersecurity threats, malware protec-  
 45 tion, and data security practices; and

46 (e) Digital creativity, including using technology to create and share  
 47 content, including text, images, and video, responsibly.

1           SECTION 3. An emergency existing therefor, which emergency is hereby  
2 declared to exist, this act shall be in full force and effect on and after  
3 July 1, 2024.