

SENATE BILL 2132

By Lowe

AN ACT to amend Tennessee Code Annotated, Title 49,
relative to the protection of students.

WHEREAS, the safety and well-being of students, teachers, and staff members within Tennessee's K-12 educational institutions is of paramount importance; and

WHEREAS, proactive school security measures serve as a crucial foundation for fostering a secure learning environment; and

WHEREAS, the implementation of proactive security measures can effectively deter and mitigate potential threats, ensuring the protection of all individuals on school premises; and

WHEREAS, such policies aid in fostering a sense of psychological safety, promoting student, teacher, and staff well-being, and enabling an optimal teaching and learning experience; and

WHEREAS, the establishment of a system that can help detect budding mental health crises will enable school leaders to respond quickly, assist that individual with obtaining behavioral health care, and thwart possible disaster while minimizing potential harm and maximizing the health and safety of everyone involved; and

WHEREAS, it is the intent of this act that the General Assembly appropriate two million dollars, non-recurring, to fund the pilot program created by this act over a two-year period; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 1, Part 2, is amended by adding the following as a new section:

(a) As used in this section, "school-issued electronic device":

(1) Means a device that is given to students by an LEA, remains the property of the LEA, and can connect to a cellular network or the internet; and

(2) Includes a computer, smartphone, or tablet.

(b) Beginning with the 2024-2025 school year, the department shall establish a two-year pilot program consisting of a representative sample of LEAs to study whether the use of advanced technologies capable of reliably monitoring and detecting children at potential risk of harming themselves or others based on their internet use patterns is effective at reducing rates of youth suicide and violence. The department shall limit the study to internet use on school-issued electronic devices.

(c)

(1) The department shall conduct a competitive procurement process to select a vendor that is domiciled in the United States to provide internet protection software technology for installation on all school-issued electronic devices for each LEA that is selected to participate in the pilot program pursuant to subsection (d) at no cost to the LEA. The internet protection software technology must:

(A) Be capable of:

(i) Monitoring students' internet browsing activity on only a school-issued electronic device;

(ii) Detecting and notifying school counselors or other school officials who are authorized to make referrals for mental health evaluations or services or law enforcement authorities if a student is repeatedly searching for content suggestive of the potential for self-harm or violence; provided, that such capability

must not be used to make referrals for use by a student that is required for the completion of a school assignment;

(iii) Detecting other potential safety concerns to be determined by the department, and that may include cyberbullying or exposure to inappropriate content; and

(iv) Blocking access to foreign-owned social media and video sharing websites; and

(B) Allow a student's parent or guardian to:

(i) Supervise and manage internet access for the student through the use of parental controls;

(ii) Block the student's access to foreign-owned social media and video sharing websites;

(iii) Receive a notification if the student attempts to access internet content that promotes self-harm or violence;

(iv) Detect online bullying; and

(v) Receive a notification if the student downloads inappropriate material, including, but not limited to, child pornography, explicit sexual material, or other inappropriate material.

(2) The department shall award a contract to provide internet protection software technology for the pilot program established under subsection (b) to the vendor that is selected pursuant to subdivision (c)(1) by August 1, 2024.

(3) Before internet protection software technology is downloaded onto a student's school-issued electronic device for purposes of the pilot program, the student's LEA shall provide the student's parent, legal guardian, custodian, or

caregiver a copy of the LEA's policy on the rights of parents and students developed pursuant to § 49-2-211.

(d)

(1) The department, in consultation with the department of safety, shall select at least one (1) urban, one (1) rural, and one (1) suburban LEA to participate in the pilot program established under subsection (b). The department shall select at least one (1) LEA from each grand division to participate in the pilot program. The department shall strive to ensure the combined number of school-issued electronic devices on which the selected software is installed for purposes of the pilot program is no less than two hundred thousand (200,000) devices. The combined number of school-issued electronic devices on which the selected software is installed for purposes of the pilot program must not exceed two hundred fifty thousand (250,000) devices.

(2) The department shall make applications for participation in the pilot program established under subsection (b) available to all LEAs by July 1, 2024.

(3) The department shall select the LEAs to participate in the pilot program established under subsection (b) by August 1, 2024.

(e) All access and disclosure made pursuant to this section must comply with the Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. 1232g); § 10-7-504; the Data Accessibility, Transparency, and Accountability Act, compiled in chapter 1, part 7 of this title; and all other relevant privacy laws.

(f)

(1) The department shall study the effectiveness of the pilot program and produce a report no later than December 1, 2026. The department shall, no later than December 31, 2026, submit the report of the effectiveness of the pilot

program to the education committee of the senate, the education instruction committee of the house of representatives, and the education administration committee of the house of representatives.

(2) The participating LEAs and the vendor selected pursuant to subsection (c) shall provide the department with data that is necessary for the department to produce the report required by subdivision (f)(1).

(3) The report required by subdivision (f)(1) must include the following:

(A) The number of times the internet protection software technology detected an instance of a student searching the internet about self-harm;

(B) The number of times the internet protection software technology detected an instance of a student searching the internet about doing harm to others;

(C) The number of referrals for mental health evaluations or services made by school counselors or other school officials who are authorized to make such referrals based on instances detected by the internet protection software technology;

(D) The number of incidents referred to law enforcement based on instances detected by the internet protection software technology; and

(E) Additional data concerning the efficacy of the internet protection software technology, as determined by the department.

(g) Unless otherwise required by a law or a court order, data collected from school-issued electronic devices using internet protection software technology under the pilot program must be deleted within one (1) calendar year of the conclusion of the pilot program.

(h) This section is repealed December 31, 2026.

SECTION 2. This act is not an appropriation of funds, and funds must not be obligated or expended pursuant to this act unless the funds are specifically appropriated by the general appropriations act.

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.