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CS/HB 379, Engrossed 1

2023 Legislature

1  
 2 An act relating to technology in K-12 public schools;  
 3 amending s. 1003.02, F.S.; requiring each district  
 4 school board to adopt an Internet safety policy for  
 5 student access to the Internet provided by the school  
 6 district; providing requirements for the policy;  
 7 requiring each school district to prohibit and prevent  
 8 student access to social media through Internet access  
 9 provided by the school district; providing an  
 10 exception; prohibiting the use of certain platforms on  
 11 district-owned devices and through Internet access  
 12 provided by the school district; requiring the State  
 13 Board of Education to adopt rules; amending s.  
 14 1003.32, F.S.; authorizing teachers and other  
 15 instructional personnel to designate an area for  
 16 wireless communications during instructional time;  
 17 amending s. 1003.42, F.S.; requiring public schools to  
 18 provide instruction on the social, emotional, and  
 19 physical effects of social media; providing  
 20 requirements for such instruction; requiring the  
 21 Department of Education to make certain instructional  
 22 material available online and notify parents of its  
 23 availability; amending s. 1006.07, F.S.; requiring  
 24 that school districts' codes of student conduct  
 25 prohibit student use of wireless communications

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26 | devices during instructional time; providing an  
 27 | exception; requiring a teacher to designate an area  
 28 | for wireless communications devices during  
 29 | instructional time; providing an effective date.

30 |

31 | Be It Enacted by the Legislature of the State of Florida:

32 |

33 | Section 1. Paragraph (g) of subsection (1) of section  
 34 | 1003.02, Florida Statutes, is amended to read:

35 | 1003.02 District school board operation and control of  
 36 | public K-12 education within the school district.—As provided in  
 37 | part II of chapter 1001, district school boards are  
 38 | constitutionally and statutorily charged with the operation and  
 39 | control of public K-12 education within their school districts.  
 40 | The district school boards must establish, organize, and operate  
 41 | their public K-12 schools and educational programs, employees,  
 42 | and facilities. Their responsibilities include staff  
 43 | development, public K-12 school student education including  
 44 | education for exceptional students and students in juvenile  
 45 | justice programs, special programs, adult education programs,  
 46 | and career education programs. Additionally, district school  
 47 | boards must:

48 | (1) Provide for the proper accounting for all students of  
 49 | school age, for the attendance and control of students at  
 50 | school, and for proper attention to health, safety, and other

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51 matters relating to the welfare of students in the following  
 52 areas:

53 (g) *School operation.*—

54 1. Provide for the operation of all public schools as free  
 55 schools for a term of 180 days or the equivalent on an hourly  
 56 basis as specified by rules of the State Board of Education;  
 57 determine district school funds necessary in addition to state  
 58 funds to operate all schools for the minimum term; and arrange  
 59 for the levying of district school taxes necessary to provide  
 60 the amount needed from district sources.

61 2. Prepare, adopt, and timely submit to the Department of  
 62 Education, as required by law and by rules of the State Board of  
 63 Education, the annual school budget, so as to promote the  
 64 improvement of the district school system.

65 3. Provide and adopt an Internet safety policy for student  
 66 access to the Internet provided by the school district which:

67 a. Limits access by students to only age-appropriate  
 68 subject matter and materials on the Internet.

69 b. Protects the safety and security of students when using  
 70 e-mail, chat rooms, and other forms of direct electronic  
 71 communications.

72 c. Prohibits access by students to data or information,  
 73 including so-called "hacking," and other unlawful online  
 74 activities by students.

75 d. Prevents access to websites, web applications, or

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76 software that does not protect against the disclosure, use, or  
 77 dissemination of students' personal information.

78 4. Prohibit and prevent students from accessing social  
 79 media platforms through the use of Internet access provided by  
 80 the school district, except when expressly directed by a teacher  
 81 solely for educational purposes.

82 5. Prohibit the use of the TikTok platform or any  
 83 successor platform on district-owned devices, through Internet  
 84 access provided by the school district, or as a platform to  
 85 communicate or promote any district school, school-sponsored  
 86 club, extracurricular organization, or athletic team.

87  
 88 The State Board of Education shall adopt rules to administer  
 89 this paragraph.

90 Section 2. Paragraph (a) of subsection (1) of section  
 91 1003.32, Florida Statutes, is amended to read:

92 1003.32 Authority of teacher; responsibility for control  
 93 of students; district school board and principal duties.—Subject  
 94 to law and to the rules of the district school board, each  
 95 teacher or other member of the staff of any school shall have  
 96 such authority for the control and discipline of students as may  
 97 be assigned to him or her by the principal or the principal's  
 98 designated representative and shall keep good order in the  
 99 classroom and in other places in which he or she is assigned to  
 100 be in charge of students.

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101 (1) In accordance with this section and within the  
 102 framework of the district school board's code of student  
 103 conduct, teachers and other instructional personnel shall have  
 104 the authority to undertake any of the following actions in  
 105 managing student behavior and ensuring the safety of all  
 106 students in their classes and school and their opportunity to  
 107 learn in an orderly and disciplined classroom:

108 (a) Establish classroom rules of conduct, including  
 109 designating an area for wireless communications devices during  
 110 instructional time.

111 Section 3. Paragraph (n) of subsection (2) of section  
 112 1003.42, Florida Statutes, is amended to read:

113 1003.42 Required instruction.—

114 (2) Members of the instructional staff of the public  
 115 schools, subject to the rules of the State Board of Education  
 116 and the district school board, shall teach efficiently and  
 117 faithfully, using the books and materials required that meet the  
 118 highest standards for professionalism and historical accuracy,  
 119 following the prescribed courses of study, and employing  
 120 approved methods of instruction, the following:

121 (n) Comprehensive age-appropriate and developmentally  
 122 appropriate K-12 instruction on:

123 1. Health education that addresses concepts of community  
 124 health, consumer health, environmental health, and family life,  
 125 including:

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- 126           a. Injury prevention and safety.
- 127           b. Internet safety.
- 128           c. Nutrition.
- 129           d. Personal health.
- 130           e. Prevention and control of disease.
- 131           f. Substance use and abuse.
- 132           g. Prevention of child sexual abuse, exploitation, and
- 133 human trafficking.
- 134           2. For students in grades 7 through 12, teen dating
- 135 violence and abuse. This component must include, but not be
- 136 limited to, the definition of dating violence and abuse, the
- 137 warning signs of dating violence and abusive behavior, the
- 138 characteristics of healthy relationships, measures to prevent
- 139 and stop dating violence and abuse, and community resources
- 140 available to victims of dating violence and abuse.
- 141           3. For students in grades 6 through 12, awareness of the
- 142 benefits of sexual abstinence as the expected standard and the
- 143 consequences of teenage pregnancy.
- 144           4. Life skills that build confidence, support mental and
- 145 emotional health, and enable students to overcome challenges,
- 146 including:
- 147           a. Self-awareness and self-management.
- 148           b. Responsible decisionmaking.
- 149           c. Resiliency.
- 150           d. Relationship skills and conflict resolution.

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151 e. Understanding and respecting other viewpoints and  
152 backgrounds.

153 f. For grades 9 through 12, developing leadership skills,  
154 interpersonal skills, organization skills, and research skills;  
155 creating a resume, including a digital resume; exploring career  
156 pathways; using state career planning resources; developing and  
157 practicing the skills necessary for employment interviews;  
158 workplace ethics and workplace law; managing stress and  
159 expectations; and self-motivation.

160 5.a. For students in grades 6 through 12, the social,  
161 emotional, and physical effects of social media. This component  
162 must include, but need not be limited to, the negative effects  
163 of social media on mental health, including addiction; the  
164 distribution of misinformation on social media; how social media  
165 manipulates behavior; the permanency of sharing materials  
166 online; how to maintain personal security and identify  
167 cyberbullying, predatory behavior, and human trafficking on the  
168 Internet; and how to report suspicious behavior encountered on  
169 the Internet.

170 b. The Department of Education shall make available online  
171 the instructional material being used pursuant to this  
172 subparagraph, and each district school board shall notify  
173 parents of its availability.

174  
175 Health education and life skills instruction and materials may

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176 | not contradict the principles enumerated in subsection (3).

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178 | The State Board of Education is encouraged to adopt standards  
 179 | and pursue assessment of the requirements of this subsection.  
 180 | Instructional programming that incorporates the values of the  
 181 | recipients of the Congressional Medal of Honor and that is  
 182 | offered as part of a social studies, English Language Arts, or  
 183 | other schoolwide character building and veteran awareness  
 184 | initiative meets the requirements of paragraph (t).

185 |       Section 4. Paragraph (f) of subsection (2) of section  
 186 | 1006.07, Florida Statutes, is amended to read:

187 |       1006.07 District school board duties relating to student  
 188 | discipline and school safety.—The district school board shall  
 189 | provide for the proper accounting for all students, for the  
 190 | attendance and control of students at school, and for proper  
 191 | attention to health, safety, and other matters relating to the  
 192 | welfare of students, including:

193 |       (2) CODE OF STUDENT CONDUCT.—Adopt a code of student  
 194 | conduct for elementary schools and a code of student conduct for  
 195 | middle and high schools and distribute the appropriate code to  
 196 | all teachers, school personnel, students, and parents, at the  
 197 | beginning of every school year. Each code shall be organized and  
 198 | written in language that is understandable to students and  
 199 | parents and shall be discussed at the beginning of every school  
 200 | year in student classes, school advisory council meetings, and



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201 parent and teacher association or organization meetings. Each  
202 code shall be based on the rules governing student conduct and  
203 discipline adopted by the district school board and shall be  
204 made available in the student handbook or similar publication.  
205 Each code shall include, but is not limited to:

206 (f) Notice that use of a wireless communications device  
207 includes the possibility of the imposition of disciplinary  
208 action by the school or criminal penalties if the device is used  
209 in a criminal act. A student may possess a wireless  
210 communications device while the student is on school property or  
211 in attendance at a school function; however, a student may not  
212 use a wireless communications device during instructional time,  
213 except when expressly directed by a teacher solely for  
214 educational purposes. A teacher shall designate an area for  
215 wireless communications devices during instructional time. Each  
216 district school board shall adopt rules governing the use of a  
217 wireless communications device by a student while the student is  
218 on school property or in attendance at a school function.

219 Section 5. This act shall take effect July 1, 2023.