

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Fiscal Policy

BILL: CS/CS/CS/SB 52

INTRODUCER: Fiscal Policy Committee; Appropriations Committee on Education; Education Pre-K -12 Committee; and Senator Burgess and others

SUBJECT: Student Use of Social Media Platforms

DATE: March 28, 2023

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Jahnke</u>	<u>Bouck</u>	<u>ED</u>	<u>Fav/CS</u>
2.	<u>Gray</u>	<u>Elwell</u>	<u>AED</u>	<u>Fav/CS</u>
3.	<u>Jahnke</u>	<u>Yeatman</u>	<u>FP</u>	<u>Fav/CS</u>

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/CS/SB 52 requires public schools to provide instruction on social media safety, and defines “social media” as a form of interactive electronic communication through an Internet website or application by which a user creates a service-specific identifying profile to connect with other users for the purpose of communicating and sharing information. Specifically the bill:

- Requires the Department of Education to make social media safety instructional material available online and district school boards to notify parents of the material’s availability. The department may procure such material from a vendor or provider.
- Requires social media safety material to include age-appropriate and developmentally appropriate instruction for students in grades 6-12, and focus on the social, emotional, and physical effects of social media.
- Requires social media safety instruction to include:
 - Risks of social media on mental health, including addiction, the distribution of misinformation, how social media manipulates behavior, the permanency of sharing materials online.
 - How to safely use social media, such as maintaining personal security and identify cyberbullying, predatory behavior, and human trafficking, and how to report suspicious behavior encountered on the internet.
- Requires each school district to prohibit student access to social media platforms through the use of Internet access provided by the school district, except when used solely for educational purposes as directed by the student’s teacher.

The bill has no impact on state revenues or expenditures. The bill may have a fiscal impact on school districts. See section V.

This bill is effective July 1, 2023.

II. Present Situation:

Social Media Safety

Over the past decade, social media has become a dominant force in modern life. It has changed the way we communicate, share information, and interact with the world.¹ Most teens and many preteens use some form of social media and have a profile on a social networking site. Many visit these sites every day.² Teens credit social media for helping to build stronger friendships and exposing them to a more diverse world, but they express concern that these sites lead to drama and social pressure.³

Risks of Social Media

Social media can be a hub for potentially dangerous or questionable activities. The risks to young people from social media vary widely. Social media gives predators an easy way to reach kids and teens.⁴ Some potential safety risks of social media include:

- Exposure to harmful or inappropriate content.
- Exposure to dangerous people.
- Cyberbullying.
- Oversharing personal information.
- Exposure to excessive advertisements.
- Privacy concerns including the collection of data about teen users.
- Identity theft or being hacked.
- Interference with sleep, exercise, homework, or family activities.⁵

¹ Loyola Medicine, Social Media Safety for Kids and Teens, <https://www.loyolamedicine.org/about-us/blog/social-media-safety-kids-teens>, (last visited Jan. 30, 2023).

² KidsHealth, *Teaching Kids to Be Smart about Social Media*, <https://kidshealth.org/en/parents/social-media-smarts.html>, (last visited Jan. 30, 2023).

³ Pew Research Center, *Teens' Social Media Habits and Experiences*, <https://www.pewresearch.org/internet/2018/11/28/teens-social-media-habits-and-experiences/>, (last visited Jan. 30, 2023).

⁴ Loyola Medicine, Social Media Safety for Kids and Teens, <https://www.loyolamedicine.org/about-us/blog/social-media-safety-kids-teens>, (last visited Jan. 30, 2023).

⁵ American Academy of Child & Adolescent Psychiatry, *Social Media and Teens (March 2018)*, https://www.aacap.org/AACAP/Families_and_Youth/Facts_for_Families/FFF-Guide/Social-Media-and-Teens-100.aspx, (last visited Jan. 3, 2023).

Instruction in Schools

Social Media Instruction in Schools

Two-thirds of students are unable to tell the difference between news stories and ads, and 96 percent of students did not consider how ties between an advocacy website and industry might affect the site's credibility.⁶

Since 2015, at least 79 media literacy and digital citizenship bills have been introduced in at least 28 states. Of the bills introduced, at least 14 have been enacted in 10 states.

Definitions of media literacy and digital citizenship vary. Some coalitions of stakeholders and education organizations have convened and created definitions for the terms.⁷ One example of a definition provided by a national coalition of education organizations defines five competencies of digital citizenship as inclusive, informed, engaged, balanced, and alert.⁸

When considered separately, media literacy typically addresses the ability to analyze, evaluate, access, and create media, while digital citizenship typically places more emphasis on online safety and responsibility. Texas defines digital citizenship as including the ability to “access, analyze, evaluate, create, and act on all forms of digital communication” in addition to appropriate and responsible online behavior.⁹

Social Media Instruction in Florida Schools

Students are not required to receive instruction on social media. However, an instructional model for a social media course¹⁰ is available in CPALMS. The purpose of this social media course is to enable students to develop fundamental skills in the use of social media across print, multimedia, web, and broadcast platforms, including ethical and legal uses. The content of this course should include, but not be limited to, the following:

- Demonstrating entry-level skills in digital communication and packaging them across the platforms/mediums of print, multimedia, online, and broadcast;
- Demonstrating fundamental skills in social media platforms and their uses; expressing social connections with maturity and complexity appropriate to writer, audience, purpose, and context;
- Using fundamental research skills and networking formats;
- Collaborating amongst peers; and

⁶ Stanford History Education Group, *Students' Civic Online Reasoning a National Portrait* (2019), available at <https://stacks.stanford.edu/file/druid:gf151tb4868/Civic%20Online%20Reasoning%20National%20Portrait.pdf>.

⁷ Education Commission of the States, *Media Literacy & Digital Citizenship* (2021), available at https://www.ecs.org/wp-content/uploads/Media_Literacy_and_Digital_Citizenship.pdf.

⁸ DigCitCommit, *Explore the DigCitCommit Competencies*, <https://digcitcommit.org/>, (last visited Jan. 27, 2023).

⁹ Education Commission of the States, *Media Literacy & Digital Citizenship* (2021), available at https://www.ecs.org/wp-content/uploads/Media_Literacy_and_Digital_Citizenship.pdf.

¹⁰ CPALMS, Course, *Social Media 1* (#1006375), <https://www.cpalms.org/PreviewCourse/Preview/17758>, (last visited Jan. 3, 2023).

- Using effective listening, speaking, and viewing strategies with an emphasis on the use of evidence to support or refute a claim in multimedia presentations, class discussions, and extended text discussions.¹¹

Required Instruction in Florida Schools

The mission of Florida's K-20 education system is to allow its students to increase their proficiency by allowing them the opportunity to expand their knowledge and skills through rigorous and relevant learning opportunities.¹² Each district school board must provide appropriate instruction to ensure that students meet State Board of Education (SBE) adopted standards in the following subject areas: reading and other language arts, mathematics, science, social studies, foreign languages, health and physical education, and the arts.¹³

Instructional staff of public schools,¹⁴ subject to the rules of the SBE and the district school board, must provide instruction in:

- The history and content of the Declaration of Independence.
- The history, meaning, significance, and effect of the provisions of the Constitution of the United States.
- The arguments in support of adopting our republican form of government.
- Flag education, including proper flag display and flag salute.
- The elements of civil government.
- The history of the United States.
- The history of the Holocaust.
- The history of African Americans.
- The elementary principles of agriculture.
- The effects of alcoholic and intoxicating liquors and beverages and narcotics.
- Kindness to animals.
- The history of the state.
- The conservation of natural resources.
- Comprehensive age-appropriate and developmentally appropriate K-12 instruction on health education and life skills.
- The study of Hispanic contributions to the United States.
- The study of women's contributions to the United States.
- The nature and importance of free enterprise to the United States economy.
- Civic and character education.
- The sacrifices that veterans and Medal of Honor recipients have made serving the country.¹⁵

Cell Phone Usage during Instruction Time

¹¹ CPALMS is the State of Florida's official source for standards information and course descriptions. It provides access to thousands of standards-aligned, free, and high-quality instructional/educational resources that have been developed specifically for the standards and vetted through a rigorous review process. CPALMS, *About CPALMS*, http://www.cpalms.org/CPALMS/about_us.aspx, (last visited Jan. 3, 2023).

¹² Section 1000.03(4), F.S.

¹³ Section 1003.42(1), F.S.

¹⁴ Instructional staff of charter schools are generally exempt from this section of law. Section 1002.33(16), F.S.

¹⁵ Section 1003.42(2), F.S.

When students bring their wireless communications devices (primarily cell phones) to school it creates more opportunities for the student to engage in use of the device. Usage of such device creates a distraction or disruption. These distractions cause issues with focus and concentration. Studies have concluded that cell phone usage in schools leads to poor learning outcomes.¹⁶

III. Effect of Proposed Changes:

This bill amends s. 1003.42, F.S., to require instructional staff of public schools to provide instruction on social media safety, and defines “social media” as a form of interactive electronic communication through an Internet website or application by which a user creates a service-specific identifying profile to connect with other users of the Internet website or application for the purpose of communicating and sharing information, ideas, news, stories, opinions, images, and other content.

The bill requires the Department of Education to make social media safety instructional material available online and district school boards to notify parents of the material’s online availability.

The bill requires social media safety material to include age-appropriate and developmentally appropriate instruction for students in grades 6-12, as well as, focus on the social, emotional, and physical effects of social media and promote best practices in digital citizenship. The bill defines “digital citizenship” as the norms of appropriate, responsible, and healthy behavior related to social media, including digital literacy, ethics, etiquette, and security.

The bill specifies that the social media safety instruction must include:

- Risks of social media on mental health, including addiction, the distribution of misinformation, how social media manipulates behavior, the permanency of sharing materials online.
- How to safely use social media, such as maintaining personal security and identify cyberbullying, predatory behavior, and human trafficking, and how to report suspicious behavior encountered on the internet.

The bill amends s. 1006.07, to prohibit student use of a wireless communication device during instructional time, except when used solely for educational purposes as directed by the student’s teacher. The bill authorizes a teacher to withhold a student’s wireless communication device during instructional time.

Additionally, the bill creates s. 1006.1494, F.S., which prohibits student access to social media platforms through the use of Internet access provided by the school district, except when used solely for educational purposes as directed by the student’s teacher.

The bill is effective July 1, 2023.

¹⁶ The Greater Educator, Cellphone Usage in School *available at* <https://thegreateducator.com/cell-phone-usage-in-school/> (last visited Mar. 13, 2023)

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

For those school districts that do not already provide social media safety instruction, there may be a cost associated with including this instruction in the required curriculum.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends sections 1003.42 and 1006.07 of the Florida Statutes.

This bill creates section 1006.1494 of the Florida Statutes.

IX. Additional Information:

- A. **Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS/CS/CS by Fiscal Policy on March 28, 2023:

The committee substitute retains the provisions in the bill. The committee substitute also:

- Adds that students can utilize wireless communication devices during instructional time when used solely for educational purposes as directed by the student’s teacher.
- Adds that students can utilize social media platforms through the use of Internet access provided by the school district when used solely for educational purposes as directed by the student’s teacher.
- Removes the provision that authorizes career and technical education course instruction to access social media platforms.

CS/CS by Appropriations Committee on Education on March 14, 2023:

The committee substitute retains the requirement of the bill regarding social media safety instruction and the Department of Education responsibilities for instructional materials.

The committee substitute also:

- Removes the need to have instruction on the advantages of social media use.
- Adds the requirement that social media safety focus on how social media manipulates behavior and how to identify cyberbullying.
- Adds that the Department may procure the instructional material from a vendor or provider.
- Adds the prohibition of wireless communication device usage during instruction time. Clarifying a teacher may withhold the student’s wireless communication device during instructional time.
- Prohibits student access to social media platforms through the use of internet access provided by the school. Adds clarifying language that this prohibition does not apply to career and technical education course instruction.

CS by Education Pre-K -12 on February 7, 2023:

The committee substitute retains requirements in the bill regarding social media safety instruction and Department of Education responsibilities for instructional materials. The committee substitute also:

- Adds a requirement that the social media safety material must include age-appropriate and developmentally appropriate instruction for students in grades 6-12.
- Adds the requirement that the social media safety material must focus on the social, emotional, and physical effects of social media and promote best practices of digital citizenship.
- Adds a definition for “digital citizenship”.
- Adds specifying language that social media safety instruction must include:
 - Advantages of using social media. Such instruction may only include career and resume building for future academic or employment opportunities, sharing information with familiar family and friends, and safely connecting with other users with like interests.

- Risks of social media, such as social media addiction, publication of misinformation, negative effects on mental health, and the permanent nature of content shared online.
- How to safely use social media, such as maintaining personal security, preventing oversharing of personal information, identifying predatory behavior and human trafficking, and reporting suspicious behavior.
- Creates s. 1006.1494, F.S., which prohibits student access to social media platforms through the use of Internet access provided by the school district.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.
