

INTERNET SAFETY FOR PUBLIC SCHOOLS

2013 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Eric K. Hutchings

Senate Sponsor: Karen Mayne

LONG TITLE

General Description:

This bill modifies provisions relating to Internet safety policies for public schools.

Highlighted Provisions:

This bill:

- ▶ defines terms; and
- ▶ modifies requirements for Internet safety policies for public schools, including:
 - requiring certain material to be blocked or filtered; and
 - requiring the deployment of a technology protection device for a computer while

the computer is used off campus.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53A-3-422, as last amended by Laws of Utah 2002, Chapter 301

53A-3-423, as enacted by Laws of Utah 2001, Chapter 172

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **53A-3-422** is amended to read:



28 **53A-3-422. Internet and online access policy required.**

29 (1) As used in this section:

30 (a) "Child pornography" has the meaning defined in Section 76-5b-103.

31 (b) "Computer with Internet access" includes any of the following devices equipped for

32 Internet access:

33 (i) a tablet computer;

34 (ii) a mobile phone; or

35 (iii) any other digital learning or handheld device.

36 (c) "Harmful to minors" has the meaning defined in Section 76-10-1201.

37 (d) "Technology protection device" means a technology that blocks or filters Internet
38 access to the material listed in Subsection (2)(b)(i).

39 (2) State funds may not be provided to [~~any local school board~~] a school district or
40 charter school that provides access to the Internet or an online service or provides a computer
41 with Internet access to a student for on or off campus use unless the local school board or
42 charter school governing board adopts and enforces a policy [~~to restrict access to Internet or~~
43 ~~online sites that contain obscene material.~~] of Internet safety for students that includes the
44 operation of a technology protection measure:

45 (a) for a computer with Internet access:

46 (i) owned by the school district or charter school; and

47 (ii) made available to a student; and

48 (b) that protects against access to:

49 (i) obscene material;

50 (ii) material harmful to minors; or

51 (iii) child pornography.

52 (3) An Internet safety policy adopted under Subsection (2) shall require the deployment
53 of a technology protection device for a school district's or charter school's computer that is
54 equipped for Internet access while the computer is being used off campus.

55 Section 2. Section **53A-3-423** is amended to read:

56 **53A-3-423. Process and content standards for policy.**

57 (1) "Policy" as used in this section means the elementary and secondary school online
58 access policy adopted by a local school board or charter school governing board to meet the

59 requirements of Section 53A-3-422.

60 (2) (a) Each policy shall be developed under the direction of the local school board or
61 charter school governing board, adopted in an open meeting, and have an effective date. The
62 local school board or charter school governing board shall review the policy at least every three
63 years, and a footnote shall be added to the policy indicating the effective date of the last review.

64 (b) Notice of the availability of the policy shall be posted in a conspicuous place within
65 each school. The local school board or charter school governing board may issue any other
66 public notice it considers appropriate.

67 (3) The policy shall:

68 (a) state that it restricts access to Internet or online sites that contain obscene material,
69 material harmful to minors, or child pornography and shall state how the local school board or
70 charter school governing board intends to meet the requirements of Section 53A-3-422;

71 (b) inform the public that administrative procedures and guidelines for the staff to
72 follow in enforcing the policy have been adopted and are available for review at the school; and

73 (c) inform the public that procedures to handle complaints about the policy, its
74 enforcement, or about observed behavior have been adopted and are available for review at the
75 school.

Legislative Review Note
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Office of Legislative Research and General Counsel