

CHAPTER 2023-36

Committee Substitute for House Bill No. 379

An act relating to technology in K-12 public schools; amending s. 1003.02, F.S.; requiring each district school board to adopt an Internet safety policy for student access to the Internet provided by the school district; providing requirements for the policy; requiring each school district to prohibit and prevent student access to social media through Internet access provided by the school district; providing an exception; prohibiting the use of certain platforms on district-owned devices and through Internet access provided by the school district; requiring the State Board of Education to adopt rules; amending s. 1003.32, F.S.; authorizing teachers and other instructional personnel to designate an area for wireless communications during instructional time; amending s. 1003.42, F.S.; requiring public schools to provide instruction on the social, emotional, and physical effects of social media; providing requirements for such instruction; requiring the Department of Education to make certain instructional material available online and notify parents of its availability; amending s. 1006.07, F.S.; requiring that school districts' codes of student conduct prohibit student use of wireless communications devices during instructional time; providing an exception; requiring a teacher to designate an area for wireless communications devices during instructional time; providing an effective date.

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

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

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

(1) Provide for the proper accounting for all students of school age, for the attendance and control of students at school, and for proper attention to health, safety, and other matters relating to the welfare of students in the following areas:

(g) *School operation.*—

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

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

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

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

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

c. Prohibits access by students to data or information, including so-called “hacking,” and other unlawful online activities by students.

d. Prevents access to websites, web applications, or software that does not protect against the disclosure, use, or dissemination of students’ personal information.

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

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

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

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

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

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

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

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

1003.42 Required instruction.—

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

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

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

- a. Injury prevention and safety.
- b. Internet safety.
- c. Nutrition.
- d. Personal health.
- e. Prevention and control of disease.
- f. Substance use and abuse.
- g. Prevention of child sexual abuse, exploitation, and human trafficking.

2. For students in grades 7 through 12, teen dating violence and abuse. This component must include, but not be limited to, the definition of dating violence and abuse, the warning signs of dating violence and abusive behavior, the characteristics of healthy relationships, measures to prevent and stop dating violence and abuse, and community resources available to victims of dating violence and abuse.

3. For students in grades 6 through 12, awareness of the benefits of sexual abstinence as the expected standard and the consequences of teenage pregnancy.

4. Life skills that build confidence, support mental and emotional health, and enable students to overcome challenges, including:

- a. Self-awareness and self-management.
- b. Responsible decisionmaking.
- c. Resiliency.
- d. Relationship skills and conflict resolution.
- e. Understanding and respecting other viewpoints and backgrounds.

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

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

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

Health education and life skills instruction and materials may not contradict the principles enumerated in subsection (3).

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

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

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

(2) CODE OF STUDENT CONDUCT.—Adopt a code of student conduct for elementary schools and a code of student conduct for middle and high schools and distribute the appropriate code to all teachers, school personnel, students, and parents, at the beginning of every school year. Each code shall be organized and written in language that is understandable to students and parents and shall be discussed at the beginning of every school year in student classes, school advisory council meetings, and parent and teacher association or organization meetings. Each code shall be based on the rules governing student conduct and discipline adopted by the district school board and shall be made available in the student handbook or similar publication. Each code shall include, but is not limited to:

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

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

Approved by the Governor May 9, 2023.

Filed in Office Secretary of State May 9, 2023.