

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 636

BY EDUCATION COMMITTEE

AN ACT

1 RELATING TO EDUCATION AND INTERNET USE POLICY; AMENDING CHAPTER 1, TITLE
2 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-131, IDAHO CODE,
3 TO PROVIDE THAT EACH LOCAL SCHOOL DISTRICT SHALL FILE AN INTERNET USE
4 POLICY, TO PROVIDE THAT THE POLICY SHALL BE APPROVED BY THE BOARD OF
5 TRUSTEES, TO PROVIDE PROVISIONS OF SUCH POLICY, TO PROVIDE FOR POLICY
6 TERMS, CONDITIONS AND REQUIREMENTS AND TO AUTHORIZE A DISTRICT'S
7 SUPERINTENDENT TO TAKE REASONABLE MEASURES TO IMPLEMENT AND ENFORCE
8 PROVISIONS OF LAW.
9

10 Be It Enacted by the Legislature of the State of Idaho:

11 SECTION 1. That Chapter 1, Title 33, Idaho Code, be, and the same is
12 hereby amended by the addition thereto of a NEW SECTION, to be known and
13 designated as Section 33-131, Idaho Code, and to read as follows:

14 33-131. LOCAL SCHOOL BOARDS -- INTERNET USE POLICY REQUIRED. (1) As
15 a condition for receiving moneys from the state general fund, each local
16 school district shall file an acceptable internet use policy with the
17 state superintendent of public instruction no later than August 1, 2011,
18 or within one (1) year after the creation of a new district, whichever is
19 later, and every five (5) years thereafter. Such policy shall be approved by
20 the district's board of trustees and shall contain, but not be limited to,
21 provisions that:

22 (a) Prohibit and prevent the use of school computers and other school
23 owned technology-related services from sending, receiving, viewing
24 or downloading materials that are deemed to be harmful to minors, as
25 defined by section 18-1514, Idaho Code; and

26 (b) Provide for the selection of technology for the local district's
27 computers to filter or block internet access to obscene materials,
28 materials harmful to minors and materials that depict the sexual
29 exploitation of a minor, as defined in chapter 15, title 18, Idaho Code;
30 and

31 (c) Establish appropriate disciplinary measures to be taken against
32 persons violating the policy provided for in this section; and

33 (d) Include a component of internet safety for students that is
34 integrated into the district's instructional program; and

35 (e) Inform the public that administrative procedures have been
36 adopted to enforce the policy provided for in this section and to
37 handle complaints about such enforcement, and that such procedures are
38 available for review at the district office.

39 (2) The policy provided for in subsection (1) of this section
40 may include terms, conditions and requirements deemed appropriate
41 by the district's board of trustees including, but not limited to,
42 requiring written parental authorization for internet use by minors or

1 differentiating acceptable uses among elementary, middle and high school
2 students.

3 (3) The district's superintendent is hereby authorized to take
4 reasonable measures to implement and enforce the provisions of this section.