

Regular Session, 2012

HOUSE BILL NO. 236

BY REPRESENTATIVE HODGES

CURRICULA: Provides relative to Internet and cell phone safety instruction in public schools

1 AN ACT

2 To amend and reenact R.S. 17:280 and to enact R.S. 17:3996(B)(30), relative to instruction
3 in public schools regarding Internet and cell phone safety; to provide relative to
4 guidelines and teaching materials for such instruction; to provide for limitation of
5 liability; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 17:280 is hereby amended and reenacted and R.S. 17:3996(B)(30)
8 is hereby enacted to read as follows:

9 §280. Internet and cell phone safety education; required course instruction

10 A. ~~All public elementary schools, beginning in the third grade, and~~
11 ~~secondary public schools shall provide~~ The governing authority of each public
12 elementary and secondary school shall provide age and grade appropriate classroom
13 instruction for educating children regarding child Internet and cell phone safety.
14 Such instruction shall be integrated into an existing course of study and shall include
15 but need not be limited to providing students with information on the following with
16 respect to both cell phones and the Internet:

17 (1) The safe and responsible use of social networking websites, chat rooms,
18 electronic mail, bulletin boards, instant messaging, and other means of electronic
19 communication.

20 (2) Risks of transmitting personal information.

21 (3) Recognizing, avoiding, and reporting solicitations by sexual predators.

1 (4) Recognizing and reporting illegal activities and communications.

2 (5) Recognizing and reporting harassment and cyberbullying.

3 (6) Recognizing and avoiding unsolicited or deceptive communications.

4 (7) Copyright laws on written materials, photographs, music, and video.

5 B. The State Board of Elementary and Secondary Education shall prescribe
6 suitable teaching materials for instruction.

7 C. ~~The department~~ Each public school governing authority shall provide to
8 each public school educational teaching materials for parents regarding child Internet
9 and cell phone safety to parents and legal guardians.

10 D. No person shall have a cause of action against any school district, school,
11 or school employee based on any statement made or action taken, or by the omission
12 of any statement or action, regarding instruction required by this Section. The
13 immunity from liability established in this Subsection shall not apply to any
14 statement or action by a school employee that is maliciously, willfully, and
15 deliberately intended to cause bodily harm to a student or to harass or intimidate a
16 student.

17 * * *

18 §3996. Charter schools; exemptions; requirements

19 * * *

20 B. Notwithstanding any state law, rule, or regulation to the contrary and
21 except as may be otherwise specifically provided for in an approved charter, a
22 charter school established and operated in accordance with the provisions of this
23 Chapter and its approved charter and the school's officers and employees shall be
24 exempt from all statutory mandates or other statutory requirements that are
25 applicable to public schools and to public school officers and employees except for
26 the following laws otherwise applicable to public schools with the same grades:

27 * * *

28 (30) Teaching regarding Internet and cell phone safety, R.S. 17:280.

29 * * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Hodges

HB No. 236

Abstract: Provides relative to guidelines and teaching materials for Internet and cell phone safety instruction in public schools.

Present law requires public schools, beginning in third grade, to provide instruction regarding child Internet safety. Proposed law requires public schools to provide age and grade appropriate classroom instruction regarding Internet and cell phone safety, which shall be incorporated into an existing course of study and for which the State Board of Elementary and Secondary Education (BESE) shall prescribe teaching materials. Such instruction shall include but need not be limited to providing students with information, with respect to both cell phones and the Internet, on the following:

- (1) Safe and responsible use of social networking websites, chat rooms, electronic mail, bulletin boards, instant messaging, and other means of electronic communication.
- (2) Risks of transmitting personal information.
- (3) Recognizing, avoiding, and reporting electronic solicitations by sexual predators.
- (4) Recognizing and reporting illegal activities and communications.
- (5) Recognizing and reporting harassment and cyberbullying.
- (6) Recognizing and avoiding unsolicited or deceptive communications.
- (7) Copyright laws on written materials, photographs, music, and video.

Present law requires the state Dept. of Education to provide to public schools materials for parents regarding Internet safety. Proposed law instead requires public school governing authorities to provide teaching materials regarding Internet and cell phone safety to parents and legal guardians. Proposed law is applicable to all public elementary and secondary schools, including charter schools. Proposed law further provides that no person shall have a cause of action against any school district, school, or school employee based on any statement made or action taken, or by the omission of any statement or action, regarding the instruction required by proposed law. Provides that this immunity from liability shall not apply to any statement or action by a school employee that is maliciously, willfully, and deliberately intended to cause bodily harm to a student or to harass or intimidate a student.

(Amends R.S. 17:280; Adds R.S. 17:3996(B)(30))

Summary of Amendments Adopted by House

House Floor Amendments to the engrossed bill.

1. Adds provisions relative to immunity from liability.