

2018 Regular Session

SENATE BILL NO. 250

BY SENATOR MIZELL

SCHOOLS. Requires school governing authorities to provide parents with certain information relative to the health risks associated with pornography. (8/1/18)

1 AN ACT

2 To amend and reenact R.S. 17:100.7, relative to public elementary and secondary schools;
3 to require the state Department of Education to produce a handout containing
4 information regarding the public health risks associated with pornography; to require
5 distribution of this information to the parents of public school students; to provide
6 for legislative intent; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 17:100.7 is hereby amended and reenacted to read as follows:

9 §100.7. Policies; governing authorities of public elementary and secondary schools;
10 Internet and online sites; access by students and employees;
11 **resources for parents;** exceptions

12 A.**(1)** Each governing authority of a public elementary or secondary school
13 shall adopt policies, in accordance with ~~all applicable state and federal laws,~~ **policies**
14 **adopted by the State Board of Elementary and Secondary Education,** regarding
15 access by students and employees to Internet and online sites that contain or make
16 reference to harmful material the character of which is such that it is reasonably
17 believed to be obscene, child pornography, conducive to the creation of a hostile or

1 dangerous school environment, pervasively vulgar, excessively violent, or sexually
2 harassing in the school environment all as defined by any applicable state or federal
3 laws and the policies adopted pursuant to this Subsection. Such policies shall include
4 but not be limited to prohibitions against accessing sites containing information on
5 the manufacturing or production of bombs or other incendiary devices.

6 ~~B.(2)~~ Any policies adopted by a governing authority of a public elementary
7 or secondary school pursuant to the provisions of this ~~Section~~ Subsection shall
8 include the use of computer-related technology or the use of Internet service provider
9 technology designed to block access or exposure to any harmful material as specified
10 in ~~Subsection A of this Section~~ Paragraph (1) of this Subsection, or both.

11 ~~C.(3)~~ The provisions of this ~~Section~~ Subsection shall not prohibit any
12 authorized employee or student of a public elementary or secondary school from
13 having unfiltered or unrestricted access to the Internet or an online service for
14 legitimate scientific or educational purposes as determined and approved by the
15 employing governing authority.

16 ~~D.(4)~~ The provisions of this ~~Section~~ Subsection shall not prohibit any
17 authorized student in a public elementary or secondary school from having unfiltered
18 or unrestricted access to the Internet or online services of a newspaper with a daily
19 circulation of at least one thousand.

20 **B.(1) The state Department of Education shall compile a handout to be**
21 **distributed to each public school governing authority for dissemination to the**
22 **parent of each student enrolled in a school under its jurisdiction regarding the**
23 **public health risks and harms associated with pornography.**

24 **(2) The handout shall include the following information:**

25 **(a) The dangers of sexually charged cyberbullying.**

26 **(b) The addictive and destructive nature of pornographic and illicit**
27 **materials.**

28 **(c) The dangers of internet interaction with strangers.**

29 **(d) Resources available to parents who are seeking information**

1 regarding child safeguards and free internet filters for home computers. A list
2 of free internet filters that filter out pornography, including but not limited to
3 filters found at www.netismartz.org shall also be provided.

4 Section 2. The legislature finds the following:

5 (1) Pornography is contributing to the hypersexualization of teens and even
6 prepubescent children in our society. Pornography is creating a public health crisis because
7 pornography perpetuates a sexually toxic environment and encourages sexual harassment
8 among teens.

9 (2) Efforts to prevent pornography exposure and addiction, to educate individuals and
10 families concerning its harmful effects, and to develop recovery programs must be addressed
11 systemically in ways that hold providers of pornography accountable.

12 (3) Due to the advances in technology and the universal availability of the internet,
13 young children are exposed to what used to be referred to as hardcore pornography, but is
14 now considered mainstream pornography and the average age of exposure to pornography
15 is now eleven-to-twelve years of age. This early exposure to pornography is leading to low
16 self-esteem and body-image disorders, an increase in problematic sexual activity at younger
17 ages, and an increased desire among adolescents to engage in risky sexual behavior.

18 (4) Because pornography treats women as objects and commodities for the use of the
19 viewer, it teaches girls they are to be used and teaches boys to be users. Pornography
20 normalizes violence and abuse of women and children. Pornography treats women and
21 children as objects and often depicts rape and abuse as if such acts are harmless.
22 Pornography equates violence towards women and children with sex, and pain with pleasure,
23 which increases the demand for sex trafficking, prostitution, child sexual abuse images, and
24 child pornography.

25 (5) Potential detrimental effects on users of pornography can impact brain
26 development and functioning, contribute to emotional and medical illnesses, shape deviant
27 sexual arousal and lead to difficulty in forming or maintaining positive, intimate
28 relationships, as well as promoting problematic or harmful sexual behaviors and addiction.
29 Recent neurological research indicates that pornography is potentially biologically addictive,

1 which means the user requires more novelty, often in the form of more shocking material,
2 in order to be satisfied. This biological addiction leads to increasing themes of risky sexual
3 behaviors, extreme degradation, violence, and child sexual abuse images and child
4 pornography.

5 (6) The need for education, prevention, research, and policy change at the community
6 and societal levels must be instituted in order to address the pornography epidemic that is
7 harming the young people of our state and nation.

The original instrument was prepared by Carla S. Roberts. The following digest, which does not constitute a part of the legislative instrument, was prepared by Cheryl M. Serrett.

DIGEST

SB 250 Reengrossed 2018 Regular Session Mizell

Present law requires each governing authority of a public elementary or secondary school to adopt policies, in accordance with all applicable state and federal laws, regarding access by students and employees to internet and online sites on school computers that contain or make reference to harmful material, the character of which is such that it is reasonably believed to be obscene or child pornography, conducive to the creation of a hostile or dangerous school environment, pervasively vulgar, excessively violent, or sexually harassing in the school environment, all as defined by any applicable state or federal laws and the policy adopted. Present law specifies that such policies shall include prohibitions against accessing sites containing information on the manufacturing or production of bombs or other incendiary devices.

Present laws requires that the policies adopted by school governing authorities must be adopted in accordance with applicable state and federal laws. Proposed law requires the polices adopted by the school governing authorities to be in accordance with policies adopted by the state Board of Elementary and Secondary Education (BESE). Additionally requires the state Dept. of Education (DOE) to compile a handout regarding the public health risks and harms associated with pornography.

Proposed law specifies that the handout shall include the following information:

- (1) The dangers of sexually charged cyberbullying.
- (2) The addictive and destructive nature of pornographic and illicit materials.
- (3) The dangers of internet interaction with strangers.
- (4) Resources available to parents seeking information related to child safeguards and free internet filters for home computers. A list of free internet filters which filter out pornography, including but not limited to such filters found at www.netsmartz.org shall also be provided.

Proposed law requires DOE to disseminate the handout to the governing authority of each public elementary or secondary school for distribution to the parent of each student enrolled in a school under its jurisdiction.

Proposed law provides legislative intent as follows:

- (1) Pornography is contributing to the hypersexualization of teens and even prepubescent children in our society. Pornography is creating a public health crisis because pornography perpetuates a sexually toxic environment and encourages sexual harassment among teens.
- (2) Efforts to prevent pornography exposure and addiction, to educate individuals and families concerning its harmful effects, and to develop recovery programs must be addressed systemically in ways that hold providers of pornography accountable.
- (3) Due to the advances in technology and the universal availability of the internet, young children are exposed to what used to be referred to as hardcore pornography, but is now considered mainstream pornography and the average age of exposure to pornography is now eleven-to-twelve years of age. This early exposure to pornography is leading to low self-esteem and body-image disorders, an increase in problematic sexual activity at younger ages, and an increased desire among adolescents to engage in risky sexual behavior.
- (4) Because pornography treats women as objects and commodities for the use of the viewer, it teaches girls they are to be used and teaches boys to be users. Pornography normalizes violence and abuse of women and children. Pornography treats women and children as objects and often depicts rape and abuse as if such acts are harmless. Pornography equates violence towards women and children with sex, and pain with pleasure, which increases the demand for sex trafficking, prostitution, child sexual abuse images, and child pornography.
- (5) Potential detrimental effects on users of pornography can impact brain development and functioning, contribute to emotional and medical illnesses, shape deviant sexual arousal, and lead to difficulty in forming or maintaining positive, intimate relationships, as well as promoting problematic or harmful sexual behaviors and addiction. Recent neurological research indicates that pornography is potentially biologically addictive, which means the user requires more novelty, often in the form of more shocking material, in order to be satisfied. This biological addiction leads to increasing themes of risky sexual behaviors, extreme degradation, violence, and child sexual abuse images and child pornography.
- (6) The need for education, prevention, research, and policy change at the community and societal levels must be instituted in order to address the pornography epidemic that is harming the young people of our state and nation.

Effective August 1, 2018.

(Amends R.S. 17:100.7)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Education to the original bill

1. Provides that the local governing boards adopt policies in accordance with BESE policies.
2. Makes technical changes.