

SENATE No. 323

The Commonwealth of Massachusetts

PRESENTED BY:

Patrick M. O'Connor

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to safe internet access in schools.

PETITION OF:

NAME:

Patrick M. O'Connor

DISTRICT/ADDRESS:

Plymouth and Norfolk

SENATE No. 323

By Mr. O'Connor, a petition (accompanied by bill, Senate, No. 323) of Patrick M. O'Connor for legislation relative to safe internet access in schools. Education.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act relative to safe internet access in schools.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 71 of the General Laws is hereby amended by striking the language
2 of Section 93 and inserting thereof the following:-

3 SECTION 93. POLICY REGARDING INTERNET SAFETY MEASURES FOR
4 SCHOOLS PROVIDING COMPUTER ACCESS TO STUDENTS

5 (a) Each school district providing computer access to students shall adopt an Internet
6 Safety Policy for the safe and efficient use of online resources. For the purposes of this Section,
7 an Internet Safety Policy shall be designed by the school committee in conjunction with the
8 superintendent or the board of trustees of a charter school. Any such policy shall:

9 (1) Require the notification of the parents, guardians, students, and additional
10 stakeholders of the policy and any changes to it every two years at the beginning of the academic
11 year with opportunity for public input and recommendations; and

12 (2) Make publicly available the specific measures to block, filter, or alter websites by the
13 Internet Protection Measures pursuant to subsection (b) of this section, the basis for including
14 those categories, and the individuals who are responsible for making those decisions; and

15 (3) Be evaluated at least every two years by the school committee in conjunction with the
16 superintendent or board of trustees of a charter school to ensure that the policy conforms to
17 current internet practices and technical requirements of teachers, provided that the results of the
18 evaluation are made subject to a public hearing to accept public comment and input; and

19 (4) Employ a primary, secondary, and tertiary model of online risk protection including
20 digital citizenship curriculum as part of the school’s approach to social emotional learning. For
21 the purposes of this section, digital citizenship curriculum shall be designed by the school
22 committee in conjunction with the superintendent or the board of trustees of a charter school and
23 the department and shall include, but not be limited to, practices in safe and responsible internet
24 use, behavior, and communication. For the purposes of this section, social emotional learning
25 shall be interpreted and defined by the school committee in conjunction with the superintendent
26 or the board of trustees of a charter school and shall include, but not be limited to teaching
27 methods to help students acquire and effectively apply the knowledge, attitudes, and skills
28 necessary to understand and manage emotions, set and achieve positive goals, feel and show
29 empathy for others, establish and maintain positive relationships, and make responsible
30 decisions; and

31 (5) Protect students from visual depictions that are obscene, pornography, or harmful to
32 minors (U.S.C. 54.520) within the statutes required herein addressing the use of internet
33 protection measures for computer access in its schools.

34 (b) Each school district shall adopt written practices and procedures regarding the
35 implementation of Internet Protection Measures. For the purposes of this section, Internet
36 Protection Measures shall be selected or designed by the school committee in conjunction with
37 the superintendent or the board of trustees of a charter school. Any such practices and procedures
38 shall:

39 (1) Be managed, maintained, and operated by the superintendent or their designee; and

40 (2) Maximize access to educationally appropriate online content, inquiry-based research,
41 and universal design instructions and

42 (3) Restrict access to online content that contains obscenity, pornography, or material
43 harmful to minors (U.S.C. 54.520); and

44 (4) Include a procedure for teachers to override a website that has been blocked by
45 Internet Protection Measures, provided that the website does not contain obscenity, pornography,
46 or material harmful to minors (U.S.C. 54.520); and

47 (5) Establish criteria for the overruling of a request by a teacher to allow access to a
48 website that is blocked by the internet protection measures, a procedure to provide the requesting
49 party with an explanation of the reasons for denial of a request, and a procedure to record and
50 submit any requests and overrulings to the school committee every two years.

51 (c) The Massachusetts Department of Elementary and Secondary Education shall develop
52 a template internet protection policy for use by school districts, state schools, and charter
53 schools. The template may include, but not be limited to, the provisions contained in subsection
54 (a) of this section. Upon the completion of the template, which shall be no later than July 30,

55 2018, all districts shall be notified of its contents and the department shall make the template
56 available on the department website.

57 (d) This act shall take effect upon its passage