

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 275

BY EDUCATION COMMITTEE

AN ACT

1 RELATING TO EDUCATION; AMENDING SECTION 33-132, IDAHO CODE, TO REVISE PRO-
2 VISIONS REGARDING LOCAL SCHOOL BOARDS AND INTERNET POLICIES AND TO MAKE
3 TECHNICAL CORRECTIONS; REPEALING SECTION 33-137, IDAHO CODE, RELATING
4 TO DIGITAL AND ONLINE LIBRARY RESOURCES FOR K-12 STUDENTS; REPEALING
5 SECTION 33-1025, IDAHO CODE, RELATING TO WIRELESS TECHNOLOGY STAND-
6 DARDS; AMENDING SECTION 33-2508, IDAHO CODE, TO PROVIDE A CORRECT CODE
7 REFERENCE; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.
8

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

10 SECTION 1. That Section 33-132, Idaho Code, be, and the same is hereby
11 amended to read as follows:

12 33-132. LOCAL SCHOOL BOARDS -- INTERNET USE POLICY FILTERING RE-
13 QUIRED. (1) As a condition for receiving moneys from the state general fund,
14 each local school district and public charter school shall file an accept-
15 able internet use policy with the state superintendent of public instruction
16 no later than August 1, 2011, or within one (1) year after the creation of a
17 new district, whichever is later, and every five (5) years thereafter. Such
18 policy shall be approved by the district's board of trustees and shall con-
19 tain, but not be limited to, provisions that have internet content filters
20 that shall be included as part of any wireless internet access made available
21 to children. The content filters shall:

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

26 (b) ~~Provide for the selection of technology for the local district's~~
27 ~~computers to filter~~ Filter or block internet access to obscene materi-
28 als, 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 (2) The filtering solution shall be configurable to school district and
32 public charter school policies regarding acceptable, age appropriate inter-
33 net content. The content filtering shall include the ability:

34 (a) For each school district and public charter school to manage its
35 own filtering policies, including the decision to block specific cate-
36 gories of content and to maintain its own whitelist and blacklist over-
37 rides;

38 (b) To provide individual school district and public charter school
39 utilization and filtering reports, including the most frequently
40 visited websites, the most frequently visited categories, the most fre-
41 quently blocked websites, the most frequently used search terms, and
42 the top authenticated users;

1 (c) To audit all changes to content filtering; and

2 (d) For all reporting and management of content filtering to be avail-
 3 able through any internet-connected browser and efficiently perform
 4 all content filtering functions.

5 (3) A school district or public charter school may offer digital or on-
 6 line library resources to students in kindergarten through grade 12 only if
 7 the vendor or other person or entity providing the resources verifies that
 8 all the resources will comply with the provisions of subsection (4) of this
 9 section.

10 (4) Digital or online library resources offered by school districts or
 11 public charter schools to students in kindergarten through grade 12 shall
 12 have safety policies and technology protection measures that:

13 (a) Prohibit and prevent a user from sending, receiving, viewing, or
 14 downloading materials that are deemed to be harmful to minors, as de-
 15 defined in section 18-1514, Idaho Code; and

16 (b) Filter or block access to obscene materials, materials harmful to
 17 minors, and materials that depict the sexual exploitation of a minor, as
 18 defined in chapter 15, title 18, Idaho Code.

19 (5) Notwithstanding any contract provision to the contrary, if a
 20 provider of digital or online library resources fails to comply with the re-
 21 quirements of subsection (4) of this section, the school district or public
 22 charter school may withhold further payments, if any, to the provider pend-
 23 ing verification of compliance with the provisions of subsection (4) of this
 24 section.

25 (6) If a provider of digital or online library resources fails to timely
 26 verify that the provider is in compliance with the requirements of subsec-
 27 tion (4) of this section, the school district or public charter school may
 28 consider the provider's act of noncompliance a breach of contract.

29 (7) School districts and public charter Schools shall have policies
 30 that:

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

33 ~~(d)~~ (b) Include a component of internet safety for students that is in-
 34 tegrated into the school district's or public charter school's instruc-
 35 tional program; and

36 ~~(e)~~ (c) Inform the public that administrative procedures have been
 37 adopted to enforce the policy provided for in this section and to handle
 38 complaints about such enforcement, and that such procedures are avail-
 39 able for review at the school district or public charter school office.

40 ~~(2)~~ (8) The policy provided for in subsection (1) of this section
 41 may include terms, conditions, and requirements deemed appropriate by the
 42 school district's board of trustees or the public charter school's governing
 43 board, including, but not limited to, requiring written parental authoriza-
 44 tion for internet use by minors or differentiating acceptable uses among
 45 elementary, middle, and high school students.

46 ~~(3)~~ (9) The district's superintendent is hereby authorized to take rea-
 47 sonable measures to implement and enforce the provisions of this section.

48 SECTION 2. That Section [33-137](#), Idaho Code, be, and the same is hereby
 49 repealed.

1 SECTION 3. That Section [33-1025](#), Idaho Code, be, and the same is hereby
2 repealed.

3 SECTION 4. That Section 33-2508, Idaho Code, be, and the same is hereby
4 amended to read as follows:

5 33-2508. DIGITAL AND ONLINE LIBRARY RESOURCES FOR K-12 STUDENTS. If
6 the commission for libraries provides digital or online library resources
7 for the use of students in kindergarten through grade 12, the commission
8 shall comply with all provisions of section ~~33-137~~ [33-132](#), Idaho Code.

9 SECTION 5. An emergency existing therefor, which emergency is hereby
10 declared to exist, this act shall be in full force and effect on and after
11 July 1, 2025.