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LEGISLATIVE ACTION

Senate	.	House
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Floor: 1/AD/2R	.	Floor: C
04/18/2023 07:42 PM	.	05/03/2023 04:38 PM
	.	

Senator Burgess moved the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Paragraph (g) of subsection (1) of section
1003.02, Florida Statutes, is amended to read:

1003.02 District school board operation and control of
public K-12 education within the school district.—As provided in
part II of chapter 1001, district school boards are
constitutionally and statutorily charged with the operation and
control of public K-12 education within their school districts.



12 The district school boards must establish, organize, and operate
13 their public K-12 schools and educational programs, employees,
14 and facilities. Their responsibilities include staff
15 development, public K-12 school student education including
16 education for exceptional students and students in juvenile
17 justice programs, special programs, adult education programs,
18 and career education programs. Additionally, district school
19 boards must:

20 (1) Provide for the proper accounting for all students of
21 school age, for the attendance and control of students at
22 school, and for proper attention to health, safety, and other
23 matters relating to the welfare of students in the following
24 areas:

25 (g) *School operation.*—

26 1. Provide for the operation of all public schools as free
27 schools for a term of 180 days or the equivalent on an hourly
28 basis as specified by rules of the State Board of Education;
29 determine district school funds necessary in addition to state
30 funds to operate all schools for the minimum term; and arrange
31 for the levying of district school taxes necessary to provide
32 the amount needed from district sources.

33 2. Prepare, adopt, and timely submit to the Department of
34 Education, as required by law and by rules of the State Board of
35 Education, the annual school budget, so as to promote the
36 improvement of the district school system.

37 3. Provide and adopt an Internet safety policy for student
38 access to the Internet provided by the school district which:

39 a. Limits access by students to only age-appropriate
40 subject matter and materials on the Internet.



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41 b. Protects the safety and security of students when using
42 e-mail, chat rooms, and other forms of direct electronic
43 communications.

44 c. Prohibits access by students to data or information,
45 including so-called "hacking," and other unlawful online
46 activities by students.

47 d. Prevents access to websites, web applications, or
48 software that does not protect against the disclosure, use, or
49 dissemination of students' personal information.

50 4. Prohibit and prevent students from accessing social
51 media platforms through the use of Internet access provided by
52 the school district, except when expressly directed by a teacher
53 solely for educational purposes.

54 5. Prohibit the use of the TikTok platform or any successor
55 platform on district-owned devices, through Internet access
56 provided by the school district, or as a platform to communicate
57 or promote any district school, school-sponsored club,
58 extracurricular organization, or athletic team.

59
60 The State Board of Education shall adopt rules to administer
61 this paragraph.

62 Section 2. Paragraph (a) of subsection (1) of section
63 1003.32, Florida Statutes, is amended to read:

64 1003.32 Authority of teacher; responsibility for control of
65 students; district school board and principal duties.—Subject to
66 law and to the rules of the district school board, each teacher
67 or other member of the staff of any school shall have such
68 authority for the control and discipline of students as may be
69 assigned to him or her by the principal or the principal's



70 designated representative and shall keep good order in the
71 classroom and in other places in which he or she is assigned to
72 be in charge of students.

73 (1) In accordance with this section and within the
74 framework of the district school board's code of student
75 conduct, teachers and other instructional personnel shall have
76 the authority to undertake any of the following actions in
77 managing student behavior and ensuring the safety of all
78 students in their classes and school and their opportunity to
79 learn in an orderly and disciplined classroom:

80 (a) Establish classroom rules of conduct, including
81 designating an area for wireless communications devices during
82 instructional time.

83 Section 3. Paragraph (n) of subsection (2) of section
84 1003.42, Florida Statutes, is amended to read:

85 1003.42 Required instruction.—

86 (2) Members of the instructional staff of the public
87 schools, subject to the rules of the State Board of Education
88 and the district school board, shall teach efficiently and
89 faithfully, using the books and materials required that meet the
90 highest standards for professionalism and historical accuracy,
91 following the prescribed courses of study, and employing
92 approved methods of instruction, the following:

93 (n) Comprehensive age-appropriate and developmentally
94 appropriate K-12 instruction on:

95 1. Health education that addresses concepts of community
96 health, consumer health, environmental health, and family life,
97 including:

98 a. Injury prevention and safety.



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- 99 b. Internet safety.
- 100 c. Nutrition.
- 101 d. Personal health.
- 102 e. Prevention and control of disease.
- 103 f. Substance use and abuse.
- 104 g. Prevention of child sexual abuse, exploitation, and
- 105 human trafficking.
- 106 2. For students in grades 7 through 12, teen dating
- 107 violence and abuse. This component must include, but not be
- 108 limited to, the definition of dating violence and abuse, the
- 109 warning signs of dating violence and abusive behavior, the
- 110 characteristics of healthy relationships, measures to prevent
- 111 and stop dating violence and abuse, and community resources
- 112 available to victims of dating violence and abuse.
- 113 3. For students in grades 6 through 12, awareness of the
- 114 benefits of sexual abstinence as the expected standard and the
- 115 consequences of teenage pregnancy.
- 116 4. Life skills that build confidence, support mental and
- 117 emotional health, and enable students to overcome challenges,
- 118 including:
- 119 a. Self-awareness and self-management.
- 120 b. Responsible decisionmaking.
- 121 c. Resiliency.
- 122 d. Relationship skills and conflict resolution.
- 123 e. Understanding and respecting other viewpoints and
- 124 backgrounds.
- 125 f. For grades 9 through 12, developing leadership skills,
- 126 interpersonal skills, organization skills, and research skills;
- 127 creating a resume, including a digital resume; exploring career



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128 pathways; using state career planning resources; developing and
129 practicing the skills necessary for employment interviews;
130 workplace ethics and workplace law; managing stress and
131 expectations; and self-motivation.

132 5.a. For students in grades 6 through 12, the social,
133 emotional, and physical effects of social media. This component
134 must include, but need not be limited to, the negative effects
135 of social media on mental health, including addiction; the
136 distribution of misinformation on social media; how social media
137 manipulates behavior; the permanency of sharing materials
138 online; how to maintain personal security and identify
139 cyberbullying, predatory behavior, and human trafficking on the
140 Internet; and how to report suspicious behavior encountered on
141 the Internet.

142 b. The Department of Education shall make available online
143 the instructional material being used pursuant to this
144 subparagraph, and each district school board shall notify
145 parents of its availability.

146
147 Health education and life skills instruction and materials may
148 not contradict the principles enumerated in subsection (3).

149
150 The State Board of Education is encouraged to adopt standards
151 and pursue assessment of the requirements of this subsection.
152 Instructional programming that incorporates the values of the
153 recipients of the Congressional Medal of Honor and that is
154 offered as part of a social studies, English Language Arts, or
155 other schoolwide character building and veteran awareness
156 initiative meets the requirements of paragraph (t).



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157 Section 4. Paragraph (f) of subsection (2) of section
158 1006.07, Florida Statutes, is amended to read:

159 1006.07 District school board duties relating to student
160 discipline and school safety.—The district school board shall
161 provide for the proper accounting for all students, for the
162 attendance and control of students at school, and for proper
163 attention to health, safety, and other matters relating to the
164 welfare of students, including:

165 (2) CODE OF STUDENT CONDUCT.—Adopt a code of student
166 conduct for elementary schools and a code of student conduct for
167 middle and high schools and distribute the appropriate code to
168 all teachers, school personnel, students, and parents, at the
169 beginning of every school year. Each code shall be organized and
170 written in language that is understandable to students and
171 parents and shall be discussed at the beginning of every school
172 year in student classes, school advisory council meetings, and
173 parent and teacher association or organization meetings. Each
174 code shall be based on the rules governing student conduct and
175 discipline adopted by the district school board and shall be
176 made available in the student handbook or similar publication.
177 Each code shall include, but is not limited to:

178 (f) Notice that use of a wireless communications device
179 includes the possibility of the imposition of disciplinary
180 action by the school or criminal penalties if the device is used
181 in a criminal act. A student may possess a wireless
182 communications device while the student is on school property or
183 in attendance at a school function; however, a student may not
184 use a wireless communications device during instructional time,
185 except when expressly directed by a teacher solely for



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186 educational purposes. A teacher shall designate an area for
187 wireless communications devices during instructional time. Each
188 district school board shall adopt rules governing the use of a
189 wireless communications device by a student while the student is
190 on school property or in attendance at a school function.

191 Section 5. This act shall take effect July 1, 2023.

192
193 ===== T I T L E A M E N D M E N T =====

194 And the title is amended as follows:

195 Delete everything before the enacting clause
196 and insert:

197 A bill to be entitled
198 An act relating to technology in K-12 public schools;
199 amending s. 1003.02, F.S.; requiring each district
200 school board to adopt an Internet safety policy for
201 student access to the Internet provided by the school
202 district; providing requirements for the policy;
203 requiring each school district to prohibit and prevent
204 student access to social media through Internet access
205 provided by the school district; providing an
206 exception; prohibiting the use of certain platforms on
207 district-owned devices and through Internet access
208 provided by the school district; requiring the State
209 Board of Education to adopt rules; amending s.
210 1003.32, F.S.; authorizing teachers and other
211 instructional personnel to designate an area for
212 wireless communications during instructional time;
213 amending s. 1003.42, F.S.; requiring public schools to
214 provide instruction on the social, emotional, and



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215 physical effects of social media; providing
216 requirements for such instruction; requiring the
217 Department of Education to make certain instructional
218 material available online and notify parents of its
219 availability; amending s. 1006.07, F.S.; requiring
220 that school districts' codes of student conduct
221 prohibit student use of wireless communications
222 devices during instructional time; providing an
223 exception; requiring a teacher to designate an area
224 for wireless communications devices during
225 instructional time; providing an effective date.