

CHAPTER 72

EDUCATION - PUBLIC SCHOOLS

HOUSE BILL 05-1036

BY REPRESENTATIVE(S) Todd, Benefield, Berens, Borodkin, Boyd, Carroll T., Cerbo, Coleman, Frangas, Gallegos, Green, Jahn, Knoedler, Lindstrom, Madden, Marshall, McFadyen, Merrifield, Paccione, Solano, Soper, Vigil, and Romanoff; also SENATOR(S) Williams, Groff, Hanna, and Tapia.

AN ACT

CONCERNING INCLUSION OF AN INTERNET SAFETY PLAN IN EACH SCHOOL DISTRICT'S SAFE SCHOOL PLAN.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. Legislative declaration. (1) The general assembly hereby finds that:

(a) Students in grades kindergarten through twelve are spending increasingly greater amounts of time interacting on the internet in the course of both research and social interaction.

(b) With the increase in internet use worldwide, many safety concerns have arisen with regard to internet use, including concerns as to personal safety, privacy issues, and the protection of intellectual property.

(c) Increased use of the internet as an educational tool has raised concerns in the areas of cheating, plagiarism, and illegal downloading, and students are more tempted than ever to engage in unethical, and sometimes unlawful, practices in these areas. Without providing warnings or raising student awareness as to these dangers, the ease of internet use and the availability of resources is likely to cause some younger students to engage in these practices ignorantly.

(d) The risks and dangers that are increasingly associated with internet use are as real and as dangerous to students and to society as the more familiar physical dangers addressed by each school district's safe school plan, including each school's conduct and discipline code, and it is in the best interests of the state to educate students concerning these risks and dangers.

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

(2) The general assembly therefore finds that adoption by each school district of an internet safety plan to teach students how to safely, legally, and effectively use the internet is in the best interests of the state of Colorado and that each school district is strongly encouraged to adopt and implement an internet safety plan as soon as possible.

SECTION 2. 22-32-109.1 (2), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

22-32-109.1. Board of education - specific powers and duties - safe schools.

(2) **Safe school plan.** In order to provide a learning environment that is safe, conducive to the learning process, and free from unnecessary disruption, following consultation with the school district accountability committee and school advisory councils, parents, teachers, administrators, students, student councils where available, and, where appropriate, the community at large, each school district board of education shall adopt and implement a safe school plan, or review and revise, if necessary, any existing plans or policies already in effect, which shall include, but not be limited to, the following:

(c) **Internet safety plan.** (I) EACH SCHOOL DISTRICT IS ENCOURAGED TO PROVIDE A COMPREHENSIVE, AGE-APPROPRIATE CURRICULUM THAT TEACHES SAFETY IN WORKING AND INTERACTING ON THE INTERNET IN GRADES KINDERGARTEN THROUGH TWELVE. AT A MINIMUM, THE CURRICULUM MAY ADDRESS THE FOLLOWING TOPICS:

(A) INTERACTION WITH PERSONS IN THE CYBER COMMUNITY;

(B) PERSONAL SAFETY IN INTERACTING WITH PERSONS ON THE INTERNET;

(C) RECOGNITION AND AVOIDANCE OF ON-LINE BULLYING;

(D) TECHNOLOGY, COMPUTER VIRUS ISSUES, AND WAYS TO AVOID COMPUTER VIRUS INFECTION;

(E) PREDATOR IDENTIFICATION;

(F) INTELLECTUAL PROPERTY, INCLUDING EDUCATION CONCERNING PLAGIARISM AND TECHNIQUES TO AVOID COMMITTING PLAGIARISM AND LAWS CONCERNING DOWNLOADING OF COPYRIGHTED MATERIALS INCLUDING MUSIC;

(G) PRIVACY AND THE INTERNET;

(H) ON-LINE LITERACY, INCLUDING INSTRUCTION IN HOW TO IDENTIFY CREDIBLE, FACTUAL, TRUSTWORTHY WEB SITES; AND

(I) HOMELAND SECURITY ISSUES RELATED TO INTERNET USE.

(II) EACH SCHOOL DISTRICT IS ENCOURAGED TO STRUCTURE THE INTERNET SAFETY PLAN SO AS TO INCORPORATE THE INTERNET SAFETY TOPICS INTO THE TEACHING OF THE REGULAR CLASSROOM CURRICULA, RATHER THAN ISOLATING THE TOPICS AS A SEPARATE CLASS. EACH SCHOOL DISTRICT IS ENCOURAGED TO USE AVAILABLE

INTERNET SAFETY CURRICULA RESOURCES, INCLUDING BUT NOT LIMITED TO MATERIALS AVAILABLE THROUGH NONPROFIT INTERNET SAFETY FOUNDATIONS THAT ARE ENDORSED BY THE FEDERAL GOVERNMENT. EACH SCHOOL DISTRICT IS ALSO ENCOURAGED TO WORK WITH THE LOCAL LAW ENFORCEMENT AGENCIES FOR THE JURISDICTION IN WHICH THE SCHOOL DISTRICT IS LOCATED IN DEVELOPING THE INTERNET SAFETY CURRICULA, ESPECIALLY WITH REGARD TO TOPICS THAT ADDRESS PERSONAL SAFETY ON THE INTERNET, INTERNET PREDATOR IDENTIFICATION, PRIVACY ISSUES, AND HOMELAND SECURITY ISSUES. EACH SCHOOL DISTRICT IS ALSO ENCOURAGED TO COLLABORATE WITH PARENTS AND TEACHERS IN DEVELOPING THE INTERNET SAFETY CURRICULA, INCLUDING COLLABORATING WITH DISTRICT AND STATEWIDE ORGANIZATIONS THAT REPRESENT PARENTS AND TEACHERS.

(III) EACH SCHOOL DISTRICT IS ENCOURAGED TO BEGIN IMPLEMENTING THE INTERNET SAFETY PLAN WITH THE 2005-06 SCHOOL YEAR AND TO ANNUALLY REVIEW AND, AS NECESSARY, REVISE THE PLAN. EACH SCHOOL DISTRICT IS ENCOURAGED TO IDENTIFY A PERSON WHO IS RESPONSIBLE FOR OVERSEEING IMPLEMENTATION OF THE INTERNET SAFETY PLAN WITHIN EACH PUBLIC SCHOOL OF THE SCHOOL DISTRICT TO ENSURE THAT EACH PUBLIC SCHOOL COMPLIES WITH THE REQUIREMENTS OF THE PLAN.

(IV) IF A SCHOOL DISTRICT CHOOSES TO ADOPT AN INTERNET SAFETY PLAN AND TO IDENTIFY A PERSON WHO IS RESPONSIBLE FOR OVERSEEING IMPLEMENTATION OF THE PLAN, THE PERSON IS ENCOURAGED TO ANNUALLY SUBMIT AN INTERNET SAFETY PLAN IMPLEMENTATION REPORT TO THE SCHOOL DISTRICT BOARD OF EDUCATION SPECIFYING THE LEVEL OF IMPLEMENTATION ACHIEVED BY EACH PUBLIC SCHOOL OF THE SCHOOL DISTRICT AND PROVIDING AN OVERVIEW OF THE INTERNET SAFETY CURRICULA ADOPTED AND IMPLEMENTED IN EACH PUBLIC SCHOOL OF THE SCHOOL DISTRICT. THE SCHOOL DISTRICT BOARD OF EDUCATION OF EACH SCHOOL DISTRICT THAT CHOOSES TO ADOPT AN INTERNET SAFETY PLAN IS ENCOURAGED TO SUBMIT TO THE DEPARTMENT OF EDUCATION AN ANNUAL REPORT SUMMARIZING THE INTERNET SAFETY PLAN IMPLEMENTATION REPORT AND IS ENCOURAGED TO MAKE THE ANNUAL SUMMARY REPORT AVAILABLE ON THE SCHOOL DISTRICT WEB SITE.

SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: April 14, 2005