

2020 -- S 2501

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LC004873
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2020

A N A C T

RELATING TO EDUCATION - INTERNET FILTERING IN SCHOOLS

Introduced By: Senators Morgan, and de la Cruz

Date Introduced: February 25, 2020

Referred To: Senate Education

(by request)

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 16-21.6-1 of the General Laws in Chapter 16-21.6 entitled "Internet
2 Filtering in Schools" is hereby amended to read as follows:

3 **16-21.6-1. Internet filtering.**

4 (a) "Internet-filtering measures" means the use of a specific technology or program to block
5 or filter access to websites on the internet.

6 (b) Each school district shall adopt the model, written policy developed by the department
7 of education, pursuant to subsection (e), addressing the use of internet filtering measures for
8 computer access in its schools. Any such policy shall:

9 (1) Include the specific categories of websites that are blocked by the internet filtering
10 measures in use; the basis for including those categories; and the individuals who are responsible
11 for making those decisions;

12 (2) Establish a procedure for teachers to request that a blocked website be unblocked in a
13 timely manner; ~~and~~

14 (3) Specify the criteria used for overruling a request to allow access to a website that is
15 blocked by the internet-filtering measures, and require that the teacher making such a request be
16 provided particular reasons any time a request is denied; ~~and~~

17 (4) At a minimum prevent both staff and students from accessing content and material that
18 is:

19 (i) Obscene;

- 1 [\(ii\) Pornography;](#)
- 2 [\(iii\) Sexually harassing;](#)
- 3 [\(iv\) Sexually explicit;](#)
- 4 [\(v\) Harmful to minors; or](#)
- 5 [\(vi\) Other content and material that the department of education has made a good faith](#)
- 6 [determination should be filtered.](#)

7 (c) Each school district shall maintain a public record of any requests to allow access to a
8 website that is blocked by the internet-filtering measures and the response provided, and submit an
9 annual report to the school committee on the number of requests granted and denied to unblock a
10 website.

11 (d) Each school district shall annually review the requests made in the preceding year,
12 pursuant to subsection (b)(2), for unblocking websites in order to determine whether the categories
13 and standards contained in the policy adopted pursuant to subsection (b)(1) shall be revised.

14 (e) The Rhode Island department of education shall develop a written, model internet-
15 filtering policy for use by school districts, state schools, charter schools, and mayoral academies.
16 The model plan shall include, but not be limited to, the provisions contained in subsections (b)(1),
17 (b)(2), ~~and~~ (b)(3), [and \(b\)\(4\) of this section](#) and to the extent consistent with federal law, promote
18 academic freedom in the classroom, and shall be communicated to all school districts in the state
19 for their use and posted on the department website.

20 [\(f\) No student or staff shall use their personal internet connected devices, that may be](#)
21 [independent from the school network, to access material that is blocked or filtered pursuant to the](#)
22 [provisions of this section, while on school property, engaged in an activity that is under the](#)
23 [supervision and/or control of the local school district or school staff, or within the scope of staff](#)
24 [employment.](#)

25 [\(g\) Subject to the provisions of an applicable collective bargaining agreement, disciplinary](#)
26 [action may be taken against staff who violate the policy developed pursuant to subsection \(e\) of](#)
27 [this section. Students who violate the policy developed pursuant to subsection \(e\) of this section](#)
28 [are subject to school disciplinary action.](#)

29 [\(h\) The criteria for unblocking a website pursuant to subsection \(b\)\(2\) of this section shall](#)
30 [include, but not be limited to, bona fide research or other lawful purpose that has serious literary,](#)
31 [artistic, political, or scientific value for staff and students making the request.](#)

32 [\(i\) Prior to unblocking a filtered website or allowing access the following conditions apply:](#)

33 [\(1\) A student shall obtain permission through a formal request signed by the student and](#)
34 [the student's parent or guardian. Authorized staff may only grant the formal request if the material](#)

1 is for an educational purpose and not obscene, and does not violate any federal or state laws or
2 school district policy;

3 (2) An authorized individual shall review the requested content, outside the presence of
4 any student, prior to allowing access to ensure the content meets the requirements of subsection
5 (i)(1) of this section prior to access being granted; and

6 (3) The person requesting that the website be unblocked shall sign an acknowledgment that
7 they have no expectation of privacy in anything they create, store, send, delete, receive, or display
8 when using the school's computer networks, Internet access service, or connected devices.

9 (j) Individuals harmed by violation of this section may recover damages in a civil suit.

10 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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1 This act would provide that the department of education Internet filtering policy would
2 prohibit access to pornography. This act also provides for a civil cause of action for violation of
3 filtering requirements causing damage to individuals.

4 This act would take effect upon passage.

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