

By: Representative Felsher

To: Education

## HOUSE BILL NO. 808

1 AN ACT TO REQUIRE EACH DISTRICT SCHOOL BOARD AND CHARTER  
2 SCHOOL GOVERNING BOARD TO ADOPT AN INTERNET SAFETY POLICY FOR  
3 STUDENT ACCESS TO THE INTERNET PROVIDED BY THE SCHOOL DISTRICT; TO  
4 PRESCRIBE THE REQUIREMENTS FOR THE POLICY; TO REQUIRE EACH SCHOOL  
5 DISTRICT AND CHARTER SCHOOL GOVERNING BOARD TO PROHIBIT AND  
6 PREVENT STUDENT ACCESS TO SOCIAL MEDIA THROUGH INTERNET ACCESS  
7 PROVIDED BY THE SCHOOL DISTRICT; TO PROHIBIT THE USE OF CERTAIN  
8 PLATFORMS ON DISTRICT-OWNED DEVICES AND THROUGH INTERNET ACCESS  
9 PROVIDED BY THE SCHOOL DISTRICT OR CHARTER SCHOOL; TO AUTHORIZE  
10 TEACHERS AND OTHER INSTRUCTIONAL PERSONNEL TO DESIGNATE AN AREA  
11 FOR WIRELESS COMMUNICATIONS DURING INSTRUCTIONAL TIME TO BE USED  
12 SOLELY FOR EDUCATIONAL PURPOSES; TO REQUIRE THE STATE BOARD OF  
13 EDUCATION TO ADOPT RULES FOR THE ADMINISTRATION OF SUCH POLICIES;  
14 TO REQUIRE PUBLIC SCHOOLS AND CHARTER SCHOOLS TO PROVIDE  
15 INSTRUCTION ON THE SOCIAL, EMOTIONAL AND PHYSICAL EFFECTS OF  
16 SOCIAL MEDIA AND TO PROVIDE REQUIREMENTS FOR SUCH INSTRUCTION; TO  
17 REQUIRE THE STATE DEPARTMENT OF EDUCATION AND GOVERNING BOARDS OF  
18 CHARTER SCHOOLS TO MAKE CERTAIN INSTRUCTIONAL MATERIAL IS  
19 AVAILABLE ONLINE AND TO NOTIFY PARENTS OF ITS AVAILABILITY; TO  
20 AMEND SECTION 37-11-55, MISSISSIPPI CODE OF 1972, TO REQUIRE THAT  
21 SCHOOL DISTRICTS' CODES OF STUDENT CONDUCT PROHIBIT STUDENT USE OF  
22 WIRELESS COMMUNICATIONS DEVICES DURING INSTRUCTIONAL TIME; TO  
23 REQUIRE THE CODES OF STUDENT CONDUCT TO INCLUDE NOTICE THAT USE OF  
24 A WIRELESS COMMUNICATIONS DEVICE INCLUDES THE POSSIBILITY OF THE  
25 IMPOSITION OF DISCIPLINARY ACTION BY THE SCHOOL OR CRIMINAL  
26 PENALTIES; TO AUTHORIZE TEACHERS AND OTHER INSTRUCTIONAL PERSONNEL  
27 TO DESIGNATE AN AREA FOR WIRELESS COMMUNICATIONS DURING  
28 INSTRUCTIONAL TIME; TO AMEND SECTION 37-28-9, MISSISSIPPI CODE OF  
29 1972, IN CONFORMITY TO THE PRECEDING PROVISIONS; AND FOR RELATED  
30 PURPOSES.

31 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:



**SECTION 1.**

The local school board of each public school district and the governing boards of charter schools in this state shall:

(a) Provide and adopt an Internet safety policy for student access to the Internet provided by the school district which:

(i) Limits access by students to only age-appropriate subject matter and materials on the Internet;

(ii) Protects the safety and security of students when using e-mail, chat rooms, and other forms of direct electronic communications;

(iii) Prohibits access by students to data or information, including so-called "hacking," and other unlawful online activities by students;

(iv) Prevents access to websites, web applications, or software that does not protect against the disclosure, use or dissemination of students' personal information.

(b) Prohibit and prevent students from accessing social media platforms through the use of Internet access provided by the school district, except when expressly directed by a teacher solely for educational purposes.

(c) Prohibit the use of the TikTok platform or any successor platform on district-owned devices, through Internet access provided by the school district, or as a platform to



communicate or promote any district school, school-sponsored club, extracurricular organization or athletic team.

(d) The State Board of Education shall adopt rules to administer this section.

**SECTION 2.** (1) The State Department of Education is authorized and directed to implement a curriculum for Grades 6 through 12 that emphasizes the social, emotional and physical effects of social media, which instructional components must included, but not be limited to, the negative effects of social media on mental health, including:

- (a) Addiction;
- (b) The distribution of misinformation on social media;
- (c) How social media manipulates behavior;
- (d) The permanency of sharing materials online;
- (e) How to maintain personal security and identify cyberbullying, predatory behavior and human trafficking on the Internet; and
- (f) How to report suspicious behavior encountered on the Internet to the proper authorities.

(2) The department and the governing board of each charter school shall make the instructional material being used pursuant to this subsection available online, and each district school board shall notify parents of its availability.

**SECTION 3.** Section 37-11-55, Mississippi Code of 1972, is amended as follows:



37-11-55. The local school board shall adopt and make available to all teachers, school personnel, students and parents or guardians, at the beginning of each school year, a code of student conduct developed in consultation with teachers, school personnel, students and parents or guardians. The code shall be based on the rules governing student conduct and discipline adopted by the school board and shall be made available at the school level in the student handbook or similar publication. The code shall include, but not be limited to:

(a) Specific grounds for disciplinary action under the school district's discipline plan;

(b) Procedures to be followed for acts requiring discipline, including suspensions and expulsion, which comply with due process requirements;

(c) An explanation of the responsibilities and rights of students with regard to: attendance; respect for persons and property; knowledge and observation of rules of conduct; free speech and student publications; assembly; privacy; and participation in school programs and activities;

(d) Policies and procedures recognizing the teacher as the authority in classroom matters, and supporting that teacher in any decision in compliance with the written discipline code of conduct. Such recognition shall include the right of the teacher to remove from the classroom any student who, in the professional judgment of the teacher, is disrupting the learning environment,



to the office of the principal or assistant principal. The principal or assistant principal shall determine the proper placement for the student, who may not be returned to the classroom until a conference of some kind has been held with the parent, guardian or custodian during which the disrupting behavior is discussed and agreements are reached that no further disruption will be tolerated. If the principal does not approve of the determination of the teacher to remove the student from the classroom, the student may not be removed from the classroom, and the principal, upon request from the teacher, must provide justification for his disapproval;

(e) Policies and procedures for dealing with a student who causes a disruption in the classroom, on school property or vehicles, or at school-related activities;

(f) Procedures for the development of behavior modification plans by the school principal, reporting teacher and student's parent for a student who causes a disruption in the classroom, on school property or vehicles, or at school-related activities for a second time during the school year; \* \* \*

(g) Policies and procedures specifically concerning gang-related activities in the school, on school property or vehicles, or at school-related activities \* \* \*;

(h) Policies and procedures that provide teachers and other instructional personnel with the authority to establish classroom rules of conduct, including designating an area for



wireless communications devices during instructional time, which shall only be accessible to students when expressly directed by a teacher and solely for educational purposes as prescribe in Section 1 of this act.

(i) Notice that use of a wireless communications device includes the possibility of the imposition of disciplinary action by the school or criminal penalties if the device is used in a criminal act including online harassment, cyberbullying or cyberstalking in violation of Sections 37-11-20, 37-11-67, 37-11-69, 97-29-45, 97-3-107 and 97-45-15. A student may possess a wireless communications device while the student is on school property or in attendance at a school function. Each district school board shall adopt rules, in accordance with Section 1 of this act, governing the use of a wireless communications device by a student while the student is on school property or in attendance at a school function.

**SECTION 4.** Section 37-28-9, Mississippi Code of 1972, is amended as follows:

37-28-9. (1) The authorizer is responsible for exercising, in accordance with this chapter, the following powers and duties:

(a) Developing chartering policies and maintaining practices consistent with nationally recognized principles and standards for quality charter authorizing in all major areas of authorizing responsibility, including:

(i) Organizational capacity and infrastructure;



(ii) Solicitation and evaluation of charter applications;

(iii) Performance contracting;

(iv) Ongoing charter school oversight and evaluation; and

(v) Charter renewal decision-making;

(b) Approving quality charter applications that meet identified educational needs and promote a diversity of educational choices;

(c) Declining to approve weak or inadequate charter applications;

(d) Negotiating and executing charter contracts with approved charter schools;

(e) Monitoring, in accordance with charter contract terms, the performance and legal compliance of charter schools;

(f) Determining whether each charter contract merits renewal, nonrenewal or revocation; \* \* \*

(g) Applying for any federal funds that may be available for the implementation of charter school programs \* \* \*;  
and

(h) Providing and adopting an Internet safety policy for student access to the Internet provided by the charter schools under its governance.

(2) The authorizer shall carry out all its duties under this chapter in a manner consistent with nationally recognized



principles and standards and with the spirit and intent of this act.

(3) The authorizer may delegate its duties to the executive director and general counsel.

(4) Regulation by the authorizer shall be limited to those powers and duties prescribed in this section and all others prescribed by law, consistent with the spirit and intent of this chapter.

(5) Except in the case of gross negligence or reckless disregard of the safety and well-being of another person, the authorizer, members of the authorizer board in their official capacity, and employees of the authorizer in their official capacity are immune from civil liability with respect to all activities related to a charter school approved by the authorizer.

**SECTION 5.** This act shall take effect and be in force from and after July 1, 2025.

