

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Introduced

Senate Bill 404

By Senators Chapman, Deeds, Karnes, and

Woodrum

[Introduced January 12, 2024; referred
to the Committee on Education]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article,
 2 designated §18-34-1, §18-34-2, §18-34-3, and §18-34-4, all relating generally to social
 3 media education for grades six through 12; limiting access by students to only age-
 4 appropriate material; prohibiting student access to data and information hacking;
 5 preventing access to students' personal information through school system databases,
 6 websites, web application, or software; and granting rule-making authority to the State
 7 Board of Education.

Be it enacted by the Legislature of West Virginia:

ARTICLE 34. TEEN SOCIAL MEDIA AND INTERNET SAFETY ACT.

§18-34-1. Definitions.

1 Definitions. For the purposes of this article, the words defined in this section have the
 2 meaning given.

3 (a) "Internet" means the combination of computer facilities and electromagnetic
 4 transmission media, and related equipment and software, comprising the interconnected
 5 worldwide network of computer networks that employ the Transmission Control Protocol/Internet
 6 Protocol or any successor protocol to transmit information.

7 (b) "Social Media" means a form of interactive electronic communication through an
 8 Internet website or application by which a user creates a service-specific identifying user profile to
 9 connect with other users of the Internet website or application for the purpose of communicating
 10 and sharing information, ideas, news, stories, opinions, images, videos, and other content.

11 (c) "The State Board of Education" means The State of West Virginia Board of Education.

12 (d) "County Board of Education" means a political subdivision of this state organized for the
 13 purpose of the administration, support, and maintenance of public schools within each county.

§18-34-2. Addition of social media to school curriculum.

1 (a) The State Board of Education shall prepare and offer a curriculum, including
 2 instructional materials, for the instruction of social media safety for students in grades 6 through

3 12. Such instructional materials must be published on the Board of Education's and each school
 4 district's websites. Each school district must notify parents or guardians that such instructional
 5 materials are available on the State Board of Education and every county board of education's
 6 websites.

7 (b) The Board of Education shall periodically update its curriculum to reflect changes in
 8 social media use, emergent technologies, and new threats to teens using social media platforms.

§18-34-3. Requirements of social media instruction.

1 (a) The social media instruction must include, but need not be limited to, the negative
 2 effects of social media on mental health, including addiction; the distribution of misinformation on
 3 social media; how social media manipulates behavior; the permanency of sharing materials
 4 online; how to maintain personal security and identify cyberbullying, predatory behavior, and
 5 human trafficking on the Internet; and how to report suspicious behavior encountered on the
 6 Internet to appropriate authorities.

7 (b) The social media safety instruction must include how to safely use social media,
 8 including, but not limited to, maintaining personal security, preventing oversharing of personal
 9 information, identifying predatory behavior, and reporting suspicious behavior.

10 (c) The social media safety instruction may include the benefits of social media use such
 11 instruction but may only include career and resume building for future academic or employment
 12 opportunities, sharing information with familiar family and friends, and safely connecting with other
 13 users with like interests.

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

§18-34-4. Requirement of Internet Safety Policy.

1 (a) The State Board of Education and every county board of education shall prohibit
 2 student access to social media platforms through the use of Internet access provided by the
 3 school district, except when expressly directed by a teacher solely for educational purposes.

4 (b) The State Board of Education and every county board of education shall provide and

5 adopt an Internet safety policy for student access to the Internet provided by the school district

6 which:

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

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

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

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

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

NOTE: The purpose of this bill is to require education and safety protocols for students in grades 6 through twelve in this state and to protect the safety and security of students when using e-mail, chat rooms, web applications, and other forms of electronic application.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.