

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 COMMITTEE SUBSTITUTE
FOR ENGROSSED
4 HOUSE BILL 1388

By: Hasenbeck of the House

5 and

6 Reinhardt of the Senate

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9 COMMITTEE SUBSTITUTE

10 An Act relating to schools; creating the Protecting
Oklahoma's Children on Social Media Act of 2025;
11 providing short title; defining terms; directing the
State Department of Education to develop model
12 programs to educate students regarding online safety;
directing inclusion of one or more model programs for
13 students in certain grades; requiring periodic
updating of programs; directing the Department to
publish certain information on its website; directing
the Department to provide certain technical
14 assistance; allowing school district boards of
education and charter school governing bodies to
incorporate certain Internet safety into certain
15 program; directing school district boards of
education and charter school governing bodies to
adopt an acceptable-use policy by certain date;
providing minimum components of policy; allowing for
16 differentiation on policies based on student grade
levels; directing reasonable opportunities and
procedures be provided for certain input; providing
17 for enforcement of policy; directing a copy of a
policy to be provided upon certain request; requiring
electronic submission of policies to the State Board
18 of Education annually by certain date; providing
process for review of policies and revisions;
directing the State Department of Education annually
19 by certain date to establish certain technology
protection measure standards and specifications;
directing the Department to publish on its website
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1 certain list of technology protection measures;
2 directing the Department to provide guidance and
3 technical assistance; directing the Department to
4 develop training guidelines for certain personnel by
5 certain date; requiring training to include certain
6 instruction; requiring school district boards of
7 education and charter school governing bodies to
8 adopt a social media policy by certain date;
9 requiring policy to include certain provisions;
10 directing policy to be published on certain websites;
11 requiring electronic submission of certain policy by
12 certain date; providing process for the Department to
13 review social media policies and revisions; directing
14 the Department to conduct certain investigations and
15 make certain determinations; providing for notice of
16 noncompliance; providing for codification; providing
17 an effective date; and declaring an emergency.

18 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

19 SECTION 1. NEW LAW A new section of law to be codified
20 in the Oklahoma Statutes as Section 6-500 of Title 70, unless there
21 is created a duplication in numbering, reads as follows:

22 This act shall be known and may be cited as the "Protecting
23 Oklahoma's Children on Social Media Act of 2025".

24 SECTION 2. NEW LAW A new section of law to be codified
25 in the Oklahoma Statutes as Section 6-501 of Title 70, unless there
26 is created a duplication in numbering, reads as follows:

27 As used in this act:

28 1. "Acceptable-use policy" means a policy for Internet use
29 adopted by a public school district board of education or charter
30 school governing body that meets the requirements of this section;

1 2. "Account holder" means a person who is a resident of this
2 state and has an account or profile to use a social media platform;

3 3. "Child pornography" means any visual depiction including any
4 live performance, photograph, film, video, picture, or computer or
5 computer-generated image or picture, whether made or produced by
6 electronic, mechanical, or other means, of sexually explicit conduct

7 when:

- 8 a. the production of the visual depiction involves a
9 minor engaging in sexually explicit conduct,
- 10 b. the visual depiction is of a minor engaging in
11 sexually explicit conduct, or
- 12 c. the visual depiction has been created, adapted, or
13 modified to appear that an identifiable minor is
14 engaging in sexually explicit conduct;

15 4. "Harmful to minors" means that quality of description or
16 representation, in whatever form, of nudity, sexual conduct, sexual
17 excitement, or sadomasochistic abuse, when:

- 18 a. taken as a whole, it predominantly appeals to the
19 prurient, shameful, or morbid interest of minors,
- 20 b. it is patently offensive to prevailing standards in
21 the adult community as a whole with respect to what is
22 suitable material for minors, and
- 23 c. taken as a whole, it is lacking in serious literary,
24 artistic, political, or scientific value for minors;

5. "Identifiable minor" means a person:

a. (1) who was a minor at the time the visual depiction

was created, adapted, or modified, or

(2) whose image as a minor was used in creating,

adapting, or modifying the visual depiction, and

b. who is recognizable as an actual person by such

person's face, likeness, or other distinguishing

physical characteristic or other recognizable physical

feature;

6. "Minor" means any individual under the age of eighteen (18)

years;

7. "Obscene material" means material which meets the following

requirements:

a. to the average person, applying contemporary community

standards, taken as a whole, the material

predominantly appeals or panders to prurient interest

in nudity, sex, or excretion,

the material, taken as a whole

b. the material, taken as a whole, lacks serious

literary, artistic, political, or scientific value,

and

the material depicts or describes in a p

- (1) acts of sexual intercourse, heterosexual or homosexual, normal or perverted, actual or simulated,
- (2) acts of masturbation,
- (3) acts involving excretory functions or lewd exhibition of the genitals,
- (4) acts of bestiality or the fondling of sex organs of animals, or
- (5) sexual acts of flagellation, torture, or other violence indicating a sadomasochistic sexual relationship;

8. "Parent" means a natural or adoptive parent, legal guardian,

13 or a person who has legal authority to act on behalf of a minor
14 child;

15 9. "School equipment" means any computer or computer networking
16 equipment, technology or technology-related device or service, or
17 communication system or service that is operated, owned, leased, and
18 made available to students by a public school district board of
19 education or charter school governing body and that is used for
20 transmitting, receiving, accessing, viewing, hearing, downloading,
21 recording, or storing electronic communication;

22 10. "Social media platform" means an online forum that allows
23 an account holder to create a profile, upload posts, view and listen
24 to posts, form mutual connections, and interact publicly and

1 | privately with other account holders and users. Such term shall not
2 | include an online service, website, or application where the
3 | predominant or exclusive function is any of the following:

- 4 | a. email,
- 5 | b. a service that, pursuant to its terms of use, does not
6 | permit minors to use the platform and utilizes
7 | commercially reasonable age assurance mechanisms to
8 | deter minors from becoming account holders,
- 9 | c. a streaming service that provides only licensed media
10 | that is not user-generated in a continuous flow from
11 | the service, website, or application to the end user
12 | and does not obtain a license to the media from a user
13 | or account holder by agreement to its terms of
14 | service,
- 15 | d. news, sports, entertainment, or other content that is
16 | preselected by the provider and not user-generated,
17 | and any chat, comment, or interactive functionality
18 | that is provided incidental to or directly or
19 | indirectly related to such content,
- 20 | e. online shopping or e-commerce, if the interaction with
21 | other users or account holders is generally limited to
22 | the ability to upload a post and comment on reviews,
23 | the ability to display lists or collections of goods
24 | for sale or wish lists, and other functions that are

- 1 focused on online shopping or e-commerce rather than
2 interaction between users or account holders,
- 3 f. interactive gaming, virtual gaming, or an online
4 service, website, or application that allows the
5 creation and uploading of content for the purpose of
6 interactive gaming, educational entertainment, or
7 associated entertainment, and communications related
8 to that content,
- 9 g. photograph editing that has an associated photograph
10 hosting service if the interaction with other users or
11 account holders is generally limited to liking or
12 commenting,
- 13 h. single-purpose community groups for public safety if
14 the interaction with other users or account holders is
15 limited to that single purpose and the community group
16 has guidelines or policies against illegal content,
- 17 i. business-to-business software,
- 18 j. teleconferencing or videoconferencing services that
19 allow reception and transmission of audio and video
20 signals for real-time communication,
- 21 k. cloud storage,
- 22 l. shared document collaboration,
- 23 m. cloud computing services, which may include cloud
24 storage and shared document collaboration,

- 1 n. providing access to or interacting with data
2 visualization platforms, libraries, or hubs,
3 o. permitting comments on a digital news website if the
4 news content is posted only by the provider of the
5 digital news website,
6 p. providing or obtaining technical support for a
7 platform, product, or service,
8 q. academic, scholarly, or genealogical research where
9 the majority of the content is created or posted by
10 the provider of the online service, website, or
11 application and the ability to chat, comment, or
12 interact with other users is directly related to the
13 provider's content,
14 r. Internet access and broadband service,
15 s. a classified advertising service in which the provider
16 of the online service, website, or application is
17 limited to all of the following:
18 (1) permitting only the sale of goods,
19 (2) prohibiting the solicitation of personal
20 services,
21 (3) posting or creating a substantial amount of the
22 content, and

(4) providing the ability to chat, comment, or interact with other users only if it is directly related to the provider's content,

t. an online service, website, or application that is used by or under the direction of a public school district or charter school in this state including a learning management system, student engagement program, or subject- or skill-specific program where the majority of the content is created or posted by the provider of the online service, website, or application and the ability to chat, comment, or interact with other users is directly related to the provider's content,

u. peer-to-peer payments, provided that interactions among users or account holders are generally limited to the ability to send, receive, or request funds;

like or comment on such transactions; or other functions related to sending, receiving, requesting, or settling payments among users or account holders, or

- v. career development opportunities including professional networking, job skills, learning certifications, and job posting and application services;

11. "Technology protection measure" means a technology that inspects and analyzes unencrypted Internet traffic for malware and that blocks or filters electronic access to obscene materials, child pornography, or material that is harmful to minors; and

12. "User" means a person who has access to view all or some of the posts on a social media platform but who is not an account holder.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 6-502 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. 1. The State Department of Education shall develop model programs for educating students regarding online safety while using the Internet, taking into consideration educational materials on this topic developed by other states as well as any other materials suggested by education experts, child psychologists, and technology companies that promote child online safety issues.

2. The model programs provided for in this section shall include one or more model programs for students in grades six through twelve which:

a. shall include instruction regarding:

- (1) the social, emotional, and physical effects of social media on users,
- (2) the effects of social media on the mental health of users, particularly teenagers,

- (3) the distribution of disinformation and misinformation on social media,
 - (4) how social media influences thoughts and behaviors,
 - (5) the permanency and risks of sharing materials online,
 - (6) how to maintain personal security and identify cyberbullying, predatory behavior, and human trafficking on the Internet and social media, and
 - (7) how to report suspicious behavior encountered on the Internet and social media to appropriate persons and authorities, and

may include information regarding the benefits of social media use, such as supporting career readiness for future academic or employment opportunities, sharing information with familiar family and friends, and safely connecting with other users with similar interests.

19 B. The State Department of Education shall periodically update
20 the model programs provided for in this section to reflect changes
21 in Internet and social media use, emergent technologies, social and
22 psychological research, and information concerning new threats to
23 teenagers and young adults using social media platforms and other
24 online communication technologies.

1 C. The State Department of Education shall publish on its
2 website information relating to the model programs provided for in
3 this section including recommended curricula and instructional
4 materials as updated periodically as provided in this section. The
5 Department shall provide technical assistance in addition to such
6 model programs and recommended curricula and instructional materials
7 to aid any public school district board of education or charter
8 school governing body that may elect to incorporate one or more
9 components of Internet and social media safety into its
10 instructional program.

11 D. Each public school district board of education or charter
12 school governing body may incorporate into its instructional program
13 a component on online Internet safety including social media safety
14 to be taught on a schedule as determined by the public school
15 district board of education or charter school governing body.

16 SECTION 4. NEW LAW A new section of law to be codified
17 in the Oklahoma Statutes as Section 6-503 of Title 70, unless there
18 is created a duplication in numbering, reads as follows:

19 A. No later than October 1, 2025, each public school district
20 board of education or charter school governing body shall adopt an
21 acceptable-use policy. At a minimum, an acceptable-use policy shall
22 contain provisions which are reasonably designed to:

1 1. Prevent and prohibit any school equipment from being used
2 for accessing, sending, receiving, viewing, or downloading obscene
3 materials, child pornography, or material that is harmful to minors;

4 2. Establish appropriate measures to be taken by the public
5 school district or charter school in response to:

6 a. students and school employees who intentionally
7 violate the acceptable-use policy, regardless of
8 whether such student or school employee was, at the
9 time of such violation, on school property, on a
10 school bus or other school vehicle, at a school-
11 related function, or elsewhere, provided that such
12 measures include disciplinary measures, and

13 b. any person who is not a student or school employee who
14 violates the acceptable-use policy, regardless of
15 whether such person was, at the time of such
16 violation, on school property, on a school bus or
17 other school vehicle, at a school-related function, or
18 elsewhere;

19 3. Provide for administrative procedures to enforce the
20 acceptable-use policy;

21 4. Provide for administrative procedures to address complaints
22 regarding possible violations of the acceptable-use policy which, at
23 a minimum, require that each complaint is responded to in writing by

1 an appropriate public school district or charter school official;
2 and

3 5. Provide for expedited review and resolution of a claim that
4 the application of the acceptable-use policy is denying a student or
5 school employee access to material that is not within the
6 prohibitions of the acceptable-use policy.

7 B. The acceptable-use policy provided for in subsection A of
8 this section may include terms, conditions, and requirements deemed
9 appropriate by the public school district board of education or
10 charter school governing body to differentiate acceptable uses among
11 elementary, middle, and high school students and among different age
12 groups; provided, however, that any public school district board of
13 education or charter school governing body that authorizes such
14 differentiation shall articulate in its acceptable-use policy the
15 rationale for each method of differentiation included in such
16 acceptable-use policy.

17 C. Each public school district board of education or charter
18 school governing body shall provide reasonable opportunities and
19 procedures for parents of current students to confer and collaborate
20 with school administrators and teachers regarding appropriate
21 Internet access for such students.

22 D. Each public school district board of education or charter
23 school governing body and school district superintendent or charter
24 school administrator shall take such steps as are necessary and

1 appropriate to implement and enforce the acceptable-use policy,
2 which shall include, but not be limited to, providing for the
3 adoption, use, and routine upgrading of technology protection
4 measures which meet or exceed compliance standards and
5 specifications established by the State Department of Education.

6 E. Each public school district and charter school shall
7 provide, upon written request of a parent, a copy of the acceptable-
8 use policy adopted pursuant to subsection B of this section and
9 information regarding the administrative procedures in effect to
10 enforce the acceptable-use policy and to address complaints about
11 enforcement.

12 F. By October 15, 2025, and each October 15 thereafter, each
13 public school district board of education or charter school
14 governing body shall electronically submit a copy of its acceptable-
15 use policy to the State Board of Education. The submission shall
16 include the identification of the technology protection measures
17 being used, if such measures are being used as provided for in
18 Section 5 of this act.

19 G. The State Board of Education shall review each acceptable-
20 use policy and any subsequent revisions submitted pursuant to
21 subsection H of this section. If the Board determines after review
22 that a policy, technology protection measure, or revision is not
23 reasonably designed to achieve the requirements of this section, the
24 Board shall provide written notice to the public school district

1 board of education or charter school governing body explaining the
2 nature of such noncompliance, and the public school district board
3 of education or charter school governing body shall have thirty (30)
4 days from the receipt of written notice to correct such
5 noncompliance. The Board may provide an extension to the thirty-day
6 period on a showing of good cause.

7 H. No revision of an acceptable-use policy submission which has
8 been approved by the State Board of Education pursuant to subsection
9 G of this section shall be implemented until such revision is
10 approved by the Board. If the Board fails to disapprove the
11 revision within sixty (60) days after the submission is received,
12 the public school district board of education or charter school
13 governing body may proceed with the implementation of the revision.

14 SECTION 5. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 6-504 of Title 70, unless there
16 is created a duplication in numbering, reads as follows:

17 A. By April 1, 2026, and by each April 1 thereafter, the State
18 Department of Education shall establish compliance standards and
19 specifications for technology protection measures that may be used
20 by public school districts and charter schools in this state. To
21 the extent practicable, such compliance standards and specifications
22 for technology protection measures shall include measures and
23 controls for parents of current students to supervise and manage
24 appropriate Internet access by such students who are using a school-

1 issued computer or other electronic device while not on school
2 property, not on a school bus or other school vehicle, or not at a
3 school-related function.

4 B. The State Department of Education shall publish on its
5 website a list of technology protection measures that meet the
6 compliance standards and specifications established pursuant to
7 subsection A of this section that public school districts and
8 charter schools may install on each computer or other electronic
9 device issued to students for off-campus use. The Department shall
10 annually require each technology protection measure provider to
11 verify that the measures it provides meet or exceed the standards
12 and specifications established pursuant to subsection A of this
13 section. The Department may provide information to public school
14 districts and charter schools regarding state contracts with
15 technology protection measure providers. The Department shall
16 prioritize the identification of technology protection measure
17 providers that include parental measures and controls as provided
18 for in this section.

19 C. The Department shall provide guidance and technical
20 assistance to assist public school districts and charter schools in
21 complying with this section.

22 D. By December 1, 2025, the Department shall develop guidelines
23 for the training of public school district and charter school
24 personnel. The training guidelines shall include instruction in:

- 1 1. Implementing and complying with acceptable-use policies
2 required by Section 4 of this act;

3 2. Basic cybersecurity issues pertinent to public school
4 districts and charter schools, students, and educators including,
5 but not limited to, phishing and multifactor authentication; and

6 3. Other current and emerging issues and topics which address
7 the safe and secure use of technology by students and educators.

8 SECTION 6. NEW LAW A new section of law to be codified
9 in the Oklahoma Statutes as Section 6-505 of Title 70, unless there
10 is created a duplication in numbering, reads as follows:

11 A. By April 1, 2026, each public school district board of
12 education or charter school governing body shall adopt a social
13 media policy which shall:

- 14 1. a. except as provided in subparagraph b of this
15 paragraph, prohibit students from accessing social
16 media platforms through the use of computer equipment,
17 communications services, or Internet access that is
18 operated, owned, leased, and made available to
19 students by the public school district or charter
20 school or the public school district board of
21 education or charter school governing body, and
22 b. to the extent authorized by such social media policy,
23 students shall be permitted to access social media
24 platforms only:

- (1) as directed by school personnel,
 - (2) for the exclusive purpose of accessing and utilizing age-appropriate educational resources,
 - (3) under the supervision of such school personnel,
and
 - (4) during the course of a school-related activity;

2. Establish appropriate measures to be taken when a student

8 violates such policy; and

3. Establish procedures for parents to:

- a. request information from school personnel about what social media platforms have been or are intended to be accessed as provided in subparagraph b of paragraph 1 of this subsection, and
- b. prohibit their child from accessing one or more social media platforms as provided in subparagraph b of paragraph 1 of this subsection.

B. A public school district board of education or charter

18 school governing body shall take such steps as it deems appropriate
19 to implement and enforce its social media policy, which shall
20 include, but shall not be limited to:

1. Use of software programs and other technologies reasonably aligned and intended to block and monitor access to social media platforms; and

1 2. Selection of online servers that block and monitor access to
2 social media platforms.

3 C. Each public school district and charter school shall publish
4 on its website a copy of the social media policy adopted pursuant to
5 this section and shall provide a paper copy upon written request of
6 a parent of an enrolled student.

7 D. The State Department of Education may consult with and
8 assist a public school district board of education or charter school
9 governing body in developing and implementing a social media policy
10 pursuant to this section.

11 E. By April 15, 2026, each public school district board of
12 education or charter school governing body shall electronically
13 submit a copy of its social media policy to the State Department of
14 Education for compliance review. Such submission shall identify any
15 software program or other technology that is being or will be
16 utilized to block access to social media platforms in accordance
17 with subsection B of this section.

18 F. The State Department of Education shall review each social
19 media policy and any subsequent revisions electronically submitted
20 pursuant to subsection E of this section. If the Department
21 determines after compliance review that a policy or revision thereof
22 is not reasonably designed to achieve the requirements of this
23 section, it shall provide written notice of noncompliance to the

1 public school district board of education or charter school
2 governing body as provided for in subsection H of this section.

3 G. No revision of a social media policy which has been deemed
4 compliant pursuant to subsection H of this section shall be
5 implemented until such revision is reviewed by the State Department
6 of Education. If the Department fails to provide a notice of
7 noncompliance for the revision within sixty (60) days of its
8 receipt, the public school district board of education or charter
9 school governing body may proceed with the implementation of the
10 revision.

11 H. 1. The State Department of Education shall be responsible
12 for conducting any necessary investigations and making written
13 determinations as to whether a public school district board of
14 education or charter school governing body has failed to comply with
15 the requirements of this section.

16 2. If the Department determines that a public school district
17 board of education or charter school governing body has failed to
18 comply with the requirements of this section, it shall provide a
19 written notice of noncompliance to the board of education or charter
20 school governing body and the board or governing body shall have
21 thirty (30) days from the receipt of such notice to correct such
22 noncompliance and to develop a corrective action plan for preventing
23 future recurrences. The Department may extend such thirty-day
24 period upon a showing of good cause by the local governing body.

1 SECTION 7. This act shall become effective July 1, 2025.

2 SECTION 8. It being immediately necessary for the preservation
3 of the public peace, health, or safety, an emergency is hereby
4 declared to exist, by reason whereof this act shall take effect and
5 be in full force from and after its passage and approval.

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