

1 **SENATE FLOOR VERSION**

2 April 17, 2025

3 COMMITTEE SUBSTITUTE  
4 FOR ENGROSSED  
5 HOUSE BILL NO. 1388

By: Hasenbeck of the House

and

Reinhardt of the Senate

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8  
9 [ schools - online safety - programs - technical  
10 assistance - acceptable-use policy - enforcement -  
11 review of policies and revisions - technology  
12 protection measure standards and specifications -  
13 social media policy - investigations - notice of  
14 noncompliance - codification - effective date -  
15 emergency ]

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

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

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

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

As used in this act:

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

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

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

11           a. the production of the visual depiction involves a  
12 minor engaging in sexually explicit conduct,

13           b. the visual depiction is of a minor engaging in  
14 sexually explicit conduct, or

15           c. the visual depiction has been created, adapted, or  
16 modified to appear that an identifiable minor is  
17 engaging in sexually explicit conduct;

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

21           a. taken as a whole, it predominantly appeals to the  
22 prurient, shameful, or morbid interest of minors,  
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1           b. it is patently offensive to prevailing standards in  
2           the adult community as a whole with respect to what is  
3           suitable material for minors, and

4           c. taken as a whole, it is lacking in serious literary,  
5           artistic, political, or scientific value for minors;

6       5. "Identifiable minor" means a person:

7           a. (1) who was a minor at the time the visual depiction  
8           was created, adapted, or modified, or

9           (2) whose image as a minor was used in creating,  
10           adapting, or modifying the visual depiction, and

11          b. who is recognizable as an actual person by such  
12          person's face, likeness, or other distinguishing  
13          physical characteristic or other recognizable physical  
14          feature;

15       6. "Minor" means any individual under the age of eighteen (18)  
16       years;

17       7. "Obscene material" means material which meets the following  
18       requirements:

19           a. to the average person, applying contemporary community  
20           standards, taken as a whole, the material  
21           predominantly appeals or panders to prurient interest  
22           in nudity, sex, or excretion,

1           b. the material, taken as a whole, lacks serious  
2           literary, artistic, political, or scientific value,  
3           and

4           c. the material depicts or describes in a patently  
5           offensive way sexual conduct as follows:

6           (1) acts of sexual intercourse, heterosexual or  
7           homosexual, normal or perverted, actual or  
8           simulated,

9           (2) acts of masturbation,

10          (3) acts involving excretory functions or lewd  
11          exhibition of the genitals,

12          (4) acts of bestiality or the fondling of sex organs  
13          of animals, or

14          (5) sexual acts of flagellation, torture, or other  
15          violence indicating a sadomasochistic sexual  
16          relationship;

17          8. "Parent" means a natural or adoptive parent, legal guardian,  
18 or a person who has legal authority to act on behalf of a minor  
19 child;

20          9. "School equipment" means any computer or computer networking  
21 equipment, technology or technology-related device or service, or  
22 communication system or service that is operated, owned, leased, and  
23 made available to students by a public school district board of  
24 education or charter school governing body and that is used for

1 transmitting, receiving, accessing, viewing, hearing, downloading,  
2 recording, or storing electronic communication;

3 10. "Social media platform" means an online forum that allows  
4 an account holder to create a profile, upload posts, view and listen  
5 to posts, form mutual connections, and interact publicly and  
6 privately with other account holders and users. Such term shall not  
7 include an online service, website, or application where the  
8 predominant or exclusive function is any of the following:

9 a. email,

10 b. a service that, pursuant to its terms of use, does not  
11 permit minors to use the platform and utilizes  
12 commercially reasonable age assurance mechanisms to  
13 deter minors from becoming account holders,

14 c. a streaming service that provides only licensed media  
15 that is not user-generated in a continuous flow from  
16 the service, website, or application to the end user  
17 and does not obtain a license to the media from a user  
18 or account holder by agreement to its terms of  
19 service,

20 d. news, sports, entertainment, or other content that is  
21 preselected by the provider and not user-generated,  
22 and any chat, comment, or interactive functionality  
23 that is provided incidental to or directly or  
24 indirectly related to such content,

- 1 e. online shopping or e-commerce, if the interaction with  
2 other users or account holders is generally limited to  
3 the ability to upload a post and comment on reviews,  
4 the ability to display lists or collections of goods  
5 for sale or wish lists, and other functions that are  
6 focused on online shopping or e-commerce rather than  
7 interaction between users or account holders,
- 8 f. interactive gaming, virtual gaming, or an online  
9 service, website, or application that allows the  
10 creation and uploading of content for the purpose of  
11 interactive gaming, educational entertainment, or  
12 associated entertainment, and communications related  
13 to that content,
- 14 g. photograph editing that has an associated photograph  
15 hosting service if the interaction with other users or  
16 account holders is generally limited to liking or  
17 commenting,
- 18 h. single-purpose community groups for public safety if  
19 the interaction with other users or account holders is  
20 limited to that single purpose and the community group  
21 has guidelines or policies against illegal content,
- 22 i. business-to-business software,
- 23  
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- 1 j. teleconferencing or videoconferencing services that  
2 allow reception and transmission of audio and video  
3 signals for real-time communication,
- 4 k. cloud storage,
- 5 l. shared document collaboration,
- 6 m. cloud computing services, which may include cloud  
7 storage and shared document collaboration,
- 8 n. providing access to or interacting with data  
9 visualization platforms, libraries, or hubs,
- 10 o. permitting comments on a digital news website if the  
11 news content is posted only by the provider of the  
12 digital news website,
- 13 p. providing or obtaining technical support for a  
14 platform, product, or service,
- 15 q. academic, scholarly, or genealogical research where  
16 the majority of the content is created or posted by  
17 the provider of the online service, website, or  
18 application and the ability to chat, comment, or  
19 interact with other users is directly related to the  
20 provider's content,
- 21 r. Internet access and broadband service,
- 22 s. a classified advertising service in which the provider  
23 of the online service, website, or application is  
24 limited to all of the following:

- 1 (1) permitting only the sale of goods,
- 2 (2) prohibiting the solicitation of personal
- 3 services,
- 4 (3) posting or creating a substantial amount of the
- 5 content, and
- 6 (4) providing the ability to chat, comment, or
- 7 interact with other users only if it is directly
- 8 related to the provider's content,

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

19 u. peer-to-peer payments, provided that interactions  
20 among users or account holders are generally limited  
21 to the ability to send, receive, or request funds;  
22 like or comment on such transactions; or other  
23 functions related to sending, receiving, requesting,

24

1 or settling payments among users or account holders,

2 or

3 v. career development opportunities including  
4 professional networking, job skills, learning  
5 certifications, and job posting and application  
6 services;

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

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

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

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

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

4           a. shall include instruction regarding:

5                   (1) the social, emotional, and physical effects of  
6                   social media on users,

7                   (2) the effects of social media on the mental health  
8                   of users, particularly teenagers,

9                   (3) the distribution of disinformation and  
10                   misinformation on social media,

11                   (4) how social media influences thoughts and  
12                   behaviors,

13                   (5) the permanency and risks of sharing materials  
14                   online,

15                   (6) how to maintain personal security and identify  
16                   cyberbullying, predatory behavior, and human  
17                   trafficking on the Internet and social media, and

18                   (7) how to report suspicious behavior encountered on  
19                   the Internet and social media to appropriate  
20                   persons and authorities, and

21           b. may include information regarding the benefits of  
22           social media use, such as supporting career readiness  
23           for future academic or employment opportunities,  
24           sharing information with familiar family and friends,

1           and safely connecting with other users with similar  
2           interests.

3           B. The State Department of Education shall periodically update  
4 the model programs provided for in this section to reflect changes  
5 in Internet and social media use, emergent technologies, social and  
6 psychological research, and information concerning new threats to  
7 teenagers and young adults using social media platforms and other  
8 online communication technologies.

9           C. The State Department of Education shall publish on its  
10 website information relating to the model programs provided for in  
11 this section including recommended curricula and instructional  
12 materials as updated periodically as provided in this section. The  
13 Department shall provide technical assistance in addition to such  
14 model programs and recommended curricula and instructional materials  
15 to aid any public school district board of education or charter  
16 school governing body that may elect to incorporate one or more  
17 components of Internet and social media safety into its  
18 instructional program.

19           D. Each public school district board of education or charter  
20 school governing body may incorporate into its instructional program  
21 a component on online Internet safety including social media safety  
22 to be taught on a schedule as determined by the public school  
23 district board of education or charter school governing body.

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

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

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

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

13           a. students and school employees who intentionally  
14 violate the acceptable-use policy, regardless of  
15 whether such student or school employee was, at the  
16 time of such violation, on school property, on a  
17 school bus or other school vehicle, at a school-  
18 related function, or elsewhere, provided that such  
19 measures include disciplinary measures, and

20           b. any person who is not a student or school employee who  
21 violates the acceptable-use policy, regardless of  
22 whether such person was, at the time of such  
23 violation, on school property, on a school bus or  
24

1 other school vehicle, at a school-related function, or  
2 elsewhere;

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

5 4. Provide for administrative procedures to address complaints  
6 regarding possible violations of the acceptable-use policy which, at  
7 a minimum, require that each complaint is responded to in writing by  
8 an appropriate public school district or charter school official;  
9 and

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

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

1 C. Each public school district board of education or charter  
2 school governing body shall provide reasonable opportunities and  
3 procedures for parents of current students to confer and collaborate  
4 with school administrators and teachers regarding appropriate  
5 Internet access for such students.

6 D. Each public school district board of education or charter  
7 school governing body and school district superintendent or charter  
8 school administrator shall take such steps as are necessary and  
9 appropriate to implement and enforce the acceptable-use policy,  
10 which shall include, but not be limited to, providing for the  
11 adoption, use, and routine upgrading of technology protection  
12 measures which meet or exceed compliance standards and  
13 specifications established by the State Department of Education.

14 E. Each public school district and charter school shall  
15 provide, upon written request of a parent, a copy of the acceptable-  
16 use policy adopted pursuant to subsection B of this section and  
17 information regarding the administrative procedures in effect to  
18 enforce the acceptable-use policy and to address complaints about  
19 enforcement.

20 F. By October 15, 2025, and each October 15 thereafter, each  
21 public school district board of education or charter school  
22 governing body shall electronically submit a copy of its acceptable-  
23 use policy to the State Board of Education. The submission shall  
24 include the identification of the technology protection measures

1 being used, if such measures are being used as provided for in  
2 Section 5 of this act.

3 G. The State Board of Education shall review each acceptable-  
4 use policy and any subsequent revisions submitted pursuant to  
5 subsection H of this section. If the Board determines after review  
6 that a policy, technology protection measure, or revision is not  
7 reasonably designed to achieve the requirements of this section, the  
8 Board shall provide written notice to the public school district  
9 board of education or charter school governing body explaining the  
10 nature of such noncompliance, and the public school district board  
11 of education or charter school governing body shall have thirty (30)  
12 days from the receipt of written notice to correct such  
13 noncompliance. The Board may provide an extension to the thirty-day  
14 period on a showing of good cause.

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

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

1           A. By April 1, 2026, and by each April 1 thereafter, the State  
2 Department of Education shall establish compliance standards and  
3 specifications for technology protection measures that may be used  
4 by public school districts and charter schools in this state. To  
5 the extent practicable, such compliance standards and specifications  
6 for technology protection measures shall include measures and  
7 controls for parents of current students to supervise and manage  
8 appropriate Internet access by such students who are using a school-  
9 issued computer or other electronic device while not on school  
10 property, not on a school bus or other school vehicle, or not at a  
11 school-related function.

12           B. The State Department of Education shall publish on its  
13 website a list of technology protection measures that meet the  
14 compliance standards and specifications established pursuant to  
15 subsection A of this section that public school districts and  
16 charter schools may install on each computer or other electronic  
17 device issued to students for off-campus use. The Department shall  
18 annually require each technology protection measure provider to  
19 verify that the measures it provides meet or exceed the standards  
20 and specifications established pursuant to subsection A of this  
21 section. The Department may provide information to public school  
22 districts and charter schools regarding state contracts with  
23 technology protection measure providers. The Department shall  
24 prioritize the identification of technology protection measure

1 providers that include parental measures and controls as provided  
2 for in this section.

3 C. The Department shall provide guidance and technical  
4 assistance to assist public school districts and charter schools in  
5 complying with this section.

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

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

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

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

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

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

22 1. a. except as provided in subparagraph b of this  
23 paragraph, prohibit students from accessing social  
24 media platforms through the use of computer equipment,

1 communications services, or Internet access that is  
2 operated, owned, leased, and made available to  
3 students by the public school district or charter  
4 school or the public school district board of  
5 education or charter school governing body, and

6 b. to the extent authorized by such social media policy,  
7 students shall be permitted to access social media  
8 platforms only:

9 (1) as directed by school personnel,

10 (2) for the exclusive purpose of accessing and  
11 utilizing age-appropriate educational resources,

12 (3) under the supervision of such school personnel,  
13 and

14 (4) during the course of a school-related activity;

15 2. Establish appropriate measures to be taken when a student  
16 violates such policy; and

17 3. Establish procedures for parents to:

18 a. request information from school personnel about what  
19 social media platforms have been or are intended to be  
20 accessed as provided in subparagraph b of paragraph 1  
21 of this subsection, and

22 b. prohibit their child from accessing one or more social  
23 media platforms as provided in subparagraph b of  
24 paragraph 1 of this subsection.

1 B. A public school district board of education or charter  
2 school governing body shall take such steps as it deems appropriate  
3 to implement and enforce its social media policy, which shall  
4 include, but shall not be limited to:

5 1. Use of software programs and other technologies reasonably  
6 designed and intended to block and monitor access to social media  
7 platforms; and

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

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

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

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

1 F. The State Department of Education shall review each social  
2 media policy and any subsequent revisions electronically submitted  
3 pursuant to subsection E of this section. If the Department  
4 determines after compliance review that a policy or revision thereof  
5 is not reasonably designed to achieve the requirements of this  
6 section, it shall provide written notice of noncompliance to the  
7 public school district board of education or charter school  
8 governing body as provided for in subsection H of this section.

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

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

22 2. If the Department determines that a public school district  
23 board of education or charter school governing body has failed to  
24 comply with the requirements of this section, it shall provide a

1 written notice of noncompliance to the board of education or charter  
2 school governing body and the board or governing body shall have  
3 thirty (30) days from the receipt of such notice to correct such  
4 noncompliance and to develop a corrective action plan for preventing  
5 future recurrences. The Department may extend such thirty-day  
6 period upon a showing of good cause by the local governing body.

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

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

12 COMMITTEE REPORT BY: COMMITTEE ON TECHNOLOGY AND TELECOMMUNICATIONS  
13 April 17, 2025 - DO PASS AS AMENDED BY CS  
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