S T A T E  O F  N E W  Y O R K

7952--A

2015-2016 Regular Sessions

I N  A S S E M B L Y

June 2, 2015

Introduced by M. of A. BRINDISI, RYAN -- read once and referred to the Committee on Education -- recommitted to the Committee on Education in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to enacting the "digital citizenship act"

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. This act shall be known and may be cited as the "digital citizenship act".

S 2. Section 2 of the education law is amended by adding a new subdivision 25 to read as follows:

25. DIGITAL CITIZENSHIP. THE TERM "DIGITAL CITIZENSHIP" SHALL MEAN THE STATUS ACCORDING THE RIGHTS, RESPONSIBILITIES, LIBERTIES AND PRIVILEGES ASSOCIATED WITH THE LAWFUL PARTICIPATION IN, AND USE OF, INFORMATION TECHNOLOGY, ELECTRONIC COMMUNICATION AND SOCIAL NETWORKING TOOLS IN A MANNER CONSISTENT WITH ARTICLE TWO OF THIS CHAPTER.

S 3. Subdivision 5 of section 14 of the education law, as amended by chapter 90 of the laws of 2013, is amended to read as follows:

5. The commissioner shall prescribe regulations that school professionals applying on or after December thirty-first, two thousand thirteen for a certificate or license, including but not limited to a certificate or license valid for service as a classroom teacher, school counselor, school psychologist, school social worker, school administrator or supervisor or superintendent of schools shall, in addition to all other certification or licensing requirements, have completed training on the social patterns of harassment, bullying and discrimination, as defined in section eleven of this article, including but not limited to those acts based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability,

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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sexual orientation, gender or sex, the identification and mitigation of harassment, bullying and discrimination, and strategies for effectively addressing problems of exclusion, bias and aggression in educational settings. SUCH SCHOOL PROFESSIONALS SHALL FURTHER BE REQUIRED TO TAKE A SIX HOUR COURSE ON THE NORMS OF DIGITAL CITIZENSHIP, LEGAL ISSUES PERTAINING TO INTERNET USE, THE RESPONSIBLE USE OF ONLINE INFORMATION, UNDERSTANDING THE IMPACT OF ONE'S DIGITAL FOOTPRINT, DISTINGUISHING BETWEEN VARIOUS MEDIA SOURCES AND PRIVACY ISSUES PERTAINING TO THE USE OF TECHNOLOGY.

S 4. Section 801-a of the education law, as amended by chapter 102 of the laws of 2012, is amended to read as follows:

S 801-a. Instruction in civility, citizenship and character education. The regents shall ensure that the course of instruction in grades kindergarten through twelve includes a component on civility, citizenship and character education. Such component shall instruct students on the principles of honesty, tolerance, personal responsibility, respect for others, with an emphasis on discouraging acts of harassment, bullying, discrimination, observance of laws and rules, courtesy, dignity and other traits which will enhance the quality of their experiences in, and contributions to, the community. Such component shall include instruction of safe, responsible use of the internet [and], PERSONAL ELECTRONIC DEVICES, electronic communications AND UNDERSTANDING THE SOCIAL, PSYCHOLOGICAL AND BEHAVIORAL IMPACT OF TECHNOLOGY. The regents shall determine how to incorporate such component in existing curricula and the commissioner shall promulgate any regulations needed to carry out such determination of the regents. For the purposes of this section, "tolerance," "respect for others" and "dignity" shall include awareness and sensitivity to harassment, bullying, discrimination and civility in the relations of people of different races, weights, national origins, ethnic groups, religions, religious practices, mental or physical abilities, sexual orientations, genders, and sexes.

S 5. Subdivision 1 of section 814 of the education law, as added by chapter 526 of the laws of 2006, is amended to read as follows:

1. [Any school district] SCHOOL DISTRICTS in the state [may] SHALL provide, to pupils in grades kindergarten through twelve, instruction designed to promote the proper and safe use of the internet AND THE NORMS OF DIGITAL CITIZENSHIP.

S 6. Section 3641 of the education law is amended by adding a new subdivision 17 to read as follows:

17. FUNDING FOR DIGITAL CITIZENSHIP. NO SCHOOL DISTRICT SHALL RECEIVE FUNDING PURSUANT TO THIS SECTION FOR AN EDUCATIONAL TECHNOLOGY PROJECT, CLASSROOM TECHNOLOGY PROJECT OR SCHOOL SAFETY AND SECURITY TECHNOLOGY PROJECT IF SUCH SCHOOL DISTRICT IS NOT PROVIDING THE INSTRUCTION REQUIRED BY SUBDIVISION ONE OF SECTION EIGHT HUNDRED FOURTEEN OF THIS CHAPTER.

S 7. This act shall take effect on the one hundred eightieth day after it shall have become a law.