

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:

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

3 S 2. Section 2 of the education law is amended by adding a new subdi-
4 vision 25 to read as follows:

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

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

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

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

LBD10630-04-6

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

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

12 S 801-a. Instruction in civility, citizenship and character education.
13 The regents shall ensure that the course of instruction in grades
14 kindergarten through twelve includes a component on civility, citizen-
15 ship and character education. Such component shall instruct students on
16 the principles of honesty, tolerance, personal responsibility, respect
17 for others, with an emphasis on discouraging acts of harassment, bully-
18 ing, discrimination, observance of laws and rules, courtesy, dignity and
19 other traits which will enhance the quality of their experiences in, and
20 contributions to, the community. Such component shall include instruc-
21 tion of safe, responsible use of the internet [and], PERSONAL ELECTRONIC
22 DEVICES, electronic communications AND UNDERSTANDING THE SOCIAL, PSYCHO-
23 LOGICAL AND BEHAVIORAL IMPACT OF TECHNOLOGY. The regents shall determine
24 how to incorporate such component in existing curricula and the commis-
25 sioner shall promulgate any regulations needed to carry out such deter-
26 mination of the regents. For the purposes of this section, "tolerance,"
27 "respect for others" and "dignity" shall include awareness and sensitiv-
28 ity to harassment, bullying, discrimination and civility in the
29 relations of people of different races, weights, national origins,
30 ethnic groups, religions, religious practices, mental or physical abili-
31 ties, sexual orientations, genders, and sexes.

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

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

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

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

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