

# STATE OF NEW YORK

8438

## IN SENATE

May 7, 2018

Introduced by Sen. GRIFFO -- read twice and ordered printed, and when printed to be committed to the Committee on Education

AN ACT to amend the education law, in relation to enacting the social media monitoring safety act; and making an appropriation therefor

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Short title. This act shall be known and may be cited as  
2 the "social media monitoring safety act".

3 § 2. Legislative intent. It is the desire of this legislature to  
4 provide students and teachers with a safe environment to work and learn.  
5 It has become increasingly clear to this legislative body that protect-  
6 ing the health and welfare of its public school students is becoming  
7 increasingly difficult. This legislative body finds that the use of  
8 social media by students is increasingly being used to voice opinions  
9 and thoughts that may be harmful to students and teachers alike. There-  
10 fore, this legislative body finds it necessary to create the social  
11 media monitoring safety act to provide data analytic resources and fund-  
12 ing to every school district to facilitate the monitoring of social  
13 media activities to provide early detection information of possible  
14 threats to a student's health and the safety of the school.

15 § 3. Subdivision 2 of section 2801-a of the education law is amended  
16 by adding a new paragraph m to read as follows:

17 m. (i) policies and procedures to provide data analytic resources  
18 which facilitate the monitoring of any and all publicly available social  
19 media activities to provide early detection information of possible  
20 threats to a student's health and the safety of the school. Such infor-  
21 mation gathered pursuant to the early detection system shall be provided  
22 to the school principal or designee and such principal or designee shall  
23 act as he or she deems appropriate based on the level of threat to the  
24 health and safety of the school.

25 (ii) a school district shall not be authorized to view, retrieve, or  
26 otherwise utilize any information that is private, including but not  
27 limited to email, unless expressly authorized by a student or a court of  
28 competent jurisdiction.

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

LBD15714-01-8

1 § 4. The sum of six million dollars (\$6,000,000) is hereby appropri-  
2 ated to the state department of education out of any moneys in the state  
3 treasury in the general fund, not otherwise appropriated, and made imme-  
4 diately available, for the services and expenses of implementing the  
5 social media monitoring safety act. Such moneys shall be payable on the  
6 audit and warrant of the comptroller on vouchers certified or approved  
7 by the department of education.

8 § 5. This act shall take effect on the one hundred twentieth day after  
9 it shall have become a law.