STATE OF NEW YORK

4158

2019-2020 Regular Sessions

IN SENATE

March 1, 2019

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

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:

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

§ 2. Legislative intent. It is the desire of this legislature to provide students and teachers with a safe environment to work and learn. It has become increasingly clear to this legislative body that protecting the health and welfare of its public school students is becoming increasingly difficult. This legislative body finds that the use of social media by students is increasingly being used to voice opinions and thoughts that may be harmful to students and teachers alike. Therefore, this legislative body finds it necessary to create the social media monitoring safety act to provide data analytic resources and funding to every school district to facilitate the monitoring of social media activities to provide early detection information of possible threats to a student's health and the safety of the school.

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

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

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

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

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

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