

STATE OF NEW YORK

8064

2025-2026 Regular Sessions

IN ASSEMBLY

April 22, 2025

Introduced by M. of A. LUPARDO, STIRPE, GLICK, ROZIC, PAULIN, MAGNARELLI, LAVINE, OTIS, CLARK, ROSENTHAL, SIMON, McDONALD, COLTON, HEVESI, EPSTEIN, FORREST, GONZALEZ-ROJAS, HUNTER, LEVENBERG, MAMDANI, MITAYNES, RAGA, REYES, SEAWRIGHT, SEPTIMO, SHIMSKY, SHRESTHA, SIMONE, STECK, TAYLOR, LUNSFORD, ANGELINO, BEEPHAN, BROOK-KRASNY, DeSTEFANO, DiPIETRO, DURSO, GALLAHAN, GANDOLFO, HAWLEY, MIKULIN, MILLER, NOVAKHOV, PALMESANO, PIROZZOLO, RA, SEMPOLINSKI, WALSH, McDONOUGH, BLANKENBUSH -- Multi-Sponsored by -- M. of A. COOK, GIGLIO, RAMOS -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to enacting the student journalism education act

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

1 Section 1. The education law is amended by adding a new article 18 to
2 read as follows:

ARTICLE 18

STUDENT JOURNALISM EDUCATION ACT

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5 Section 860. Short title.

6 861. Definitions.

7 862. Student journalism education principals.

8 863. Exemptions.

9 864. Liability.

10 § 860. Short title. This article shall be known and may be cited as
11 the "student journalism education act".

12 § 861. Definitions. For the purposes of this article the following
13 terms shall have the following meanings:

14 1. "Educational institution" means a public high school.

15 2. "School-sponsored media" means any material that is prepared, writ-
16 ten, published, or broadcast by a student journalist at an educational
17 institution, distributed or generally made available to members of the
18 student body, and prepared under the direction of a student media advi-

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

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1 sor. "School-sponsored media" shall not include media intended for
2 distribution or transmission solely in the classroom in which the media
3 is produced.

4 3. "Student journalist" means a student enrolled in an educational
5 institution who gathers, compiles, writes, edits, photographs, records,
6 or prepares information for dissemination in school-sponsored media.

7 4. "Student media advisor" means an individual employed, appointed, or
8 designated by an educational institution to supervise or provide
9 instruction relating to school-sponsored media.

10 § 862. Student journalism education principals. 1. Except as other-
11 wise provided in section eight hundred sixty-three of this article, a
12 student journalist shall have the right to exercise free speech and of
13 the press in school-sponsored media, regardless of whether the media is
14 supported financially by the educational institution or by use of the
15 facilities of an educational institution or produced in conjunction with
16 a class in which the student is enrolled.

17 2. Subject to section eight hundred sixty-three of this article, the
18 appropriate student journalist shall be responsible for determining the
19 news, opinion, and feature content of school-sponsored media.

20 3. Nothing in this section shall preclude a student media advisor from
21 teaching professional standards of English and journalism to student
22 journalists or from grading the performance of a student in accordance
23 with such standards.

24 4. There shall be no prior restraint of material prepared for official
25 publications of an educational institution except for the material
26 described in section eight hundred sixty-three of this article.

27 5. Educational institution administrators shall have the burden of
28 demonstrating justification without undue delay prior to a limitation of
29 student expression under this article.

30 6. No student media advisor or employee shall be dismissed, suspended,
31 disciplined, reassigned, transferred, or otherwise retaliated against
32 solely for acting to protect a pupil engaged in the conduct authorized
33 under this article; and further no student media advisor or employee
34 shall be dismissed, suspended, disciplined, reassigned, transferred or
35 otherwise retaliated against solely for an action, undertaken in good
36 faith with this article, which results in the prohibition of the publi-
37 cation of speech pursuant to this article.

38 7. Political expression by students in school-sponsored media shall
39 not be deemed the use of public funds for political purposes.

40 § 863. Exemptions. Nothing in this article shall impose a duty on
41 educational institution administrators to review school-sponsored media
42 prior to publication. To the extent that an educational institution
43 administrator chooses to engage in pre-publication review, the follow-
44 ing forms of expression shall not be protected by this article:

45 1. Expression that is libelous, slanderous or obscene;

46 2. Expression that constitutes an unwarranted invasion of privacy;

47 3. Expression that violates federal or state law; or

48 4. Expression that incites students to commit an unlawful act where
49 such unlawful act would be both imminent and likely to occur, to
50 violate the policies of the educational institution, or to materially
51 and substantially disrupt the orderly operation of such educational
52 institution.

53 § 864. Liability. No expression made by students in the exercise of
54 free speech or freedom of the press protected by this article shall be
55 deemed to be an expression of policy, opinion or position of the educa-
56 tional institution, nor shall any such expression be considered to be an

1 endorsement in any way by the educational institution and no educational
2 institution, student media advisor, employee, parent, legal guardian or
3 administrator of an educational institution shall be held liable in any
4 civil or criminal action for any expression made or published by
5 students, except in cases of willful or wanton misconduct. Nothing in
6 this section shall be construed to create any private action on behalf
7 of a student other than to seek injunctive relief allowing the publica-
8 tion of the speech in question.

9 § 2. This act shall take effect immediately.