

STATE OF NEW YORK

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2025-2026 Regular Sessions

IN SENATE

February 26, 2025

Introduced by Sens. JACKSON, CLEARE, GONZALEZ, PARKER -- read twice and ordered printed, and when printed to be committed to the Committee on Higher Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to implementing a students' bill of rights for city university of New York institutions

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 129-C
2 to read as follows:

ARTICLE 129-C

IMPLEMENTATION BY COLLEGES AND UNIVERSITIES OF A STUDENTS' BILL OF RIGHTS

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4
5 Section 6450. Students' bill of rights.

6 § 6450. Students' bill of rights. 1. As used in this section, the
7 following terms shall have the following meanings:

8 a. "Institution" shall mean any college or university in the city
9 university of New York.

10 b. "School-sponsored media" means any material that is prepared, writ-
11 ten, published, or broadcast by a student journalist at an institution,
12 distributed or generally made available to members of the student body
13 or the public. "School-sponsored media" shall not include media intended
14 for distribution or transmission solely in the classroom in which the
15 media is produced.
16

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

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

4 d. "Student media advisor" means an individual employed, appointed, or
5 designated by an institution to supervise or provide instruction relat-
6 ing to school-sponsored media.

7 2. Every institution shall adopt written rules implementing this
8 section by amending its code of conduct or other comparable policies. A
9 copy of such rules and policies shall be provided by each institution to
10 all students enrolled in said institution using a method and manner
11 appropriate to its institutional culture. Each institution shall also
12 post such rules and policies on its website in an easily accessible
13 manner to the public.

14 3. Every institution shall adopt and implement the following
15 "Students' Bill of Rights":

16 a. (i) The elected student leader shall be able to message the student
17 body through e-mail, or a substantially equivalent system utilized by
18 the institution to communicate with the student body, with prior
19 approval from the campus office of student life to ensure that the
20 communication with students complies with federal, state and local law,
21 and institution policies. Such prior approval shall be made in a timely
22 and efficient manner. Any denial of part of or an entire communication
23 shall be made in writing with a citation to the provision of law or
24 institution policy which would be violated by such communication.

25 (ii) No expression made by an elected student leader which is
26 protected by this paragraph shall be deemed to be an expression of poli-
27 cy, opinion or position of the institution, nor shall any such
28 expression be considered to be an endorsement in any way by the institu-
29 tion and no institution, employee, parent, legal guardian or administra-
30 tor of an institution shall be held liable in any civil or criminal
31 action for any expression made by an elected student leader, except in
32 cases of willful or wanton misconduct. Nothing in this paragraph shall
33 be construed to create any private action on behalf of a student other
34 than to seek injunctive relief allowing the messaging or communication
35 in question.

36 b. All student conduct cases shall have student participation on the
37 body judging student conduct.

38 c. All institution policy-making bodies shall have student represen-
39 tation on such body in policy-making roles for any policy affecting
40 students.

41 d. All students shall have access to designated student free speech
42 spaces on campus.

43 e. (i) A student journalist shall have the right to exercise free
44 speech and of the press in institution-sponsored media, regardless of
45 whether the media is supported financially by the institution or by use
46 of the facilities of an institution or produced in conjunction with a
47 class in which the student is enrolled.

48 (ii) A student journalist shall be responsible for determining the
49 news, opinion, and feature content of school-sponsored media.

50 (iii) There shall be no prior restraint of material prepared for offi-
51 cial publications of an institution except for the material described in
52 subparagraph (vi) of this paragraph.

53 (iv) No student media advisor or employee shall be dismissed,
54 suspended, disciplined, reassigned, transferred, or otherwise retaliated
55 against solely for acting to protect a pupil engaged in the conduct
56 authorized under this paragraph; and further no student media advisor or

1 employee shall be dismissed, suspended, disciplined, reassigned, trans-
2 ferred or otherwise retaliated against solely for an action, undertaken
3 in good faith with this paragraph, which results in the prohibition of
4 the publication of speech pursuant to this paragraph.

5 (v) Nothing in this paragraph shall preclude a student media advisor
6 from teaching professional standards of English and journalism to
7 student journalists or from grading the performance of a student in
8 accordance with such standards.

9 (vi) To the extent that an institution administrator chooses to engage
10 in pre-publication review, the following forms of expression shall not
11 be protected by this article:

12 (1) Expression that is libelous, slanderous or obscene;

13 (2) Expression that constitutes an unwarranted invasion of privacy;

14 (3) Expression that violates federal, state or local law; or

15 (4) Expression that incites students to commit an unlawful act where
16 such unlawful act would be both imminent and likely to occur, to violate
17 the policies of the institution, or to materially and substantially
18 disrupt the orderly operation of such institution.

19 (vii) No expression made by students in the exercise of free speech or
20 freedom of the press protected by this paragraph shall be deemed to be
21 an expression of policy, opinion or position of the institution, nor
22 shall any such expression be considered to be an endorsement in any way
23 by the institution and no institution, student media advisor, employee,
24 parent, legal guardian or administrator of an institution shall be held
25 liable in any civil or criminal action for any expression made or
26 published by students, except in cases of willful or wanton misconduct.
27 Nothing in this paragraph shall be construed to create any private
28 action on behalf of a student other than to seek injunctive relief
29 allowing the publication of the speech in question.

30 (viii) Political expression by students in school-sponsored media
31 shall not be deemed the use of public funds for political purposes.

32 f. The elected student government shall decide how funds from student
33 activity fees are allocated. Where an institution does not have an
34 elected student government, such institution shall develop a process to
35 allow for the student body to determine how student activity fees are
36 allocated. An institution shall not block a student activity fee funding
37 allocation decision made pursuant to this paragraph as long as such
38 allocation conforms with the student activity fee policies of the insti-
39 tution.

40 § 2. This act shall take effect on the first of July next succeeding
41 the date on which it shall have become a law.