

# STATE OF NEW YORK

8064--A

2025-2026 Regular Sessions

## IN ASSEMBLY

April 22, 2025

Introduced by M. of A. LUPARDO, STIRPE, GLICK, ROZIC, PAULIN, MAGNARELI, LAVINE, OTIS, CLARK, ROSENTHAL, SIMON, McDONALD, COLTON, HEVESI, 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, McMAHON, NORBER, BRONSON, JENSEN, BENDETT -- Multi-Sponsored by -- M. of A. COOK, GIGLIO, RAMOS -- read once and referred to the Committee on Education -- 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 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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4  
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

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

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1 institution, distributed or generally made available to members of the  
2 student body, and prepared under the direction of a student media advi-  
3 sor. "School-sponsored media" shall not include media intended for  
4 distribution or transmission solely in the classroom in which the media  
5 is produced.

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

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

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

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

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

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

29 5. When a school official determines that the restraint of student  
30 expression is necessary, the school official shall, without undue delay,  
31 identify the provisions of section eight hundred sixty-three of this  
32 article under which the limitation of such student expression is appro-  
33 priate.

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

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

44 § 863. Exemptions. The following forms of expression shall not be  
45 protected by this article:

46 1. Expression that is libelous, slanderous, obscene or profane;

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

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

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

54 § 864. Liability. 1. Nothing in this article shall impose a duty on  
55 educational institution administrators to review school-sponsored media  
56 prior to publication.

1 2. No expression made by students in the exercise of free speech or  
2 freedom of the press protected by this article shall be deemed to be an  
3 expression of policy, opinion or position of the educational institu-  
4 tion, nor shall any such expression be considered to be an endorsement  
5 in any way by the educational institution and no educational institu-  
6 tion, student media advisor, employee, parent, legal guardian or admin-  
7 istrator of an educational institution shall be held liable in any civil  
8 or criminal action for any expression made or published by students,  
9 except in cases of willful or wanton misconduct.

10 3. Nothing in this section shall be construed to create any private  
11 action on behalf of a student other than to seek injunctive relief  
12 allowing the publication of the speech in question.

13 § 2. This act shall take effect immediately.