

RESOLUTION AUTHORIZING LITIGATION AGAINST SOCIAL MEDIA COMPANIES

WHEREAS, the Surgeon General of the United States Public Health Service has issued an Advisory on Social Media and Youth Mental Health which:

- “calls attention to the growing concerns about the effects of social media on youth mental health;”
- emphasized that “now is the time to act swiftly and decisively to protect children and adolescents from risk of harm;”
- “[t]he onus of mitigating the potential harms of social media should not be placed solely on the shoulders of parents and caregivers;” and
- “[t]echnology companies play a central role and have a fundamental responsibility in designing a safe online environment and in preventing, minimizing, and addressing the risks associated with social media.”

WHEREAS, the Surgeon General of the United States Public Health Service has further concluded that:

- “Social media use by youth is nearly universal. Up to 95% of youth ages 13-17 report using a social media platform, with more than a third saying they use social media ‘almost constantly.’”
- “nearly 40% of children ages 8-12 use social media;”
- “in early adolescence ... brain development is especially susceptible to social pressures, peer opinions, and peer comparison;”
- “[s]ocial media may ... perpetuate body dissatisfaction, disordered eating behaviors, social comparison, and low self-esteem, especially among adolescent girls;”
- “[i]n a nationally representative survey of girls aged 11-15, one-third or more say they feel ‘addicted’ to a social media platform;”
- “[o]ver half of teenagers report that it would be hard to give up social media;” and
- [t]here is a consistent relationship between excessive social media use “depression among youth.”

WHEREAS, the Surgeon General of the United States Public Health Service has specifically urged that it is “urgent that we take action.”

WHEREAS, it has been reported that students, “[m]ore than ever, were glued to [their cellphones] during class.”

WHEREAS, it has been reported that “a growing number of educators ... find themselves on the front lines of a fight to change how students use social media” and “there was been a push for more schools to ... develop programs to help educate students on the dangers of social media.”

WHEREAS, the St. Lawrence-Lewis BOCES (the “BOCES”) has and continues to experience significant problems with student use of social media, which use, among other things: (i) has created a substantial and ongoing interruption of and disturbance to its educational mission; (ii) has resulted in the diversion of substantial resources in an attempt to abate and prevent such use and its results harms; and (iii) poses a significant risk to the health and well-being of its students; and

WHEREAS, the BOCES is a leader in education excellence whose faculty and administrators care deeply about the education and well-being of its students;

NOW, THEREFORE, BE IT RESOLVED BY THE BOCES BOARD OF EDUCATION:

That the Board of Education authorizes the law firm of Wagstaff & Cartmell, LLP and Ferrara Fiorenza PC to initiate litigation and file suit against any appropriate parties to seek compensation to the BOCES for damages suffered by the BOCES and its students as a result of the development, operation, and marketing of social media platforms, and to seek any other appropriate relief. The BOCES hereby authorizes its District Superintendent or their designee to sign all appropriate documents and fee agreements on behalf of the BOCES.

Adopted this _____ day of _____, 2023

Board of Education Representative(s)