

MEMORANDUM

Code: AA-2012-18

Date: October 26, 2012

To: CSU Presidents

From: Eric G. Forbes

Assistant Vice Chancellor, Student Academic Support

Subject: Social Media Privacy for Students

Effective January 1, 2013, SB 1349, *Social media privacy: postsecondary education*, adds sections 99120 and 99121 to the Education Code to prohibit postsecondary education institutions and their employees and representatives from requiring or requesting a student, prospective student or student group to disclose, access or divulge personal social media. This means that campus employees and representatives cannot require or request a student, prospective student, or student group to do any of the following:

- (1) Disclose a user name or password for accessing personal social media.
- (2) Access personal social media in the presence of the institution's employee or representative.
- (3) Divulge any personal social media information.

Additionally, a postsecondary educational institution shall not suspend, expel, discipline, threaten to take any of those actions or otherwise penalize a student, prospective student or student group in any way for refusing to comply with a request or demand that violates this new law.

However, this law does not affect the campus' existing rights and obligations to protect against and investigate alleged student misconduct or violations of applicable laws and regulations, or prohibit a campus from taking any adverse action against a student, prospective student, or student group for any lawful reason.

Questions about SB 1349, *Social media privacy: postsecondary education*, may be directed to Mr. Ray Murillo, Associate Director, Student Programs, Student Academic Support, at (562) 951-4707 or rmurillo@calstate.edu, or Dr. Sabrina Sanders, Assistant Director, Student Programs, Student Academic Support, at (562) 951-4693 or ssanders@calstate.edu.

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- c: Chancellor Charles B. Reed
- Dr. Ephraim P. Smith, Executive Vice Chancellor and Chief Academic Officer
- Dr. Ronald E. Vogel, Associate Vice Chancellor, Academic Affairs
- Provosts/Vice Presidents for Academic Affairs
- Vice Presidents for Student Affairs
- Directors of Athletics
- Mr. Ray Murillo, Associate Director, Student Programs
- Dr. Sabrina Sanders, Assistant Director, Student Programs