

## **RESOLUTION**

**of**

### **TUCSON UNIFIED SCHOOL DISTRICT GOVERNING BOARD**

#### **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”; and

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”; and

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

WHEREAS, Tucson Unified School District (“TUSD”) 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 resulting harms, and (iii) poses a significant risk to the health and well-being of its students; and

WHEREAS, the TUSD Governing Board has been invited to join in litigation against social media companies as public nuisances as a result of the above; and

WHEREAS, the Governing Board, after consideration of the matter, has determined that it is in the best interest of TUSD and its students to authorize its participation in such litigation.

**NOW, THEREFORE, BE IT RESOLVED:**

The Governing Board hereby authorizes the law firm of WAGSTAFF & CARTMELL, LLP to initiate litigation and file suit against any appropriate parties to seek compensation to the district for damages suffered by the district and its students as a result of the development, operation, and marketing of social media platforms, and to seek any other appropriate relief.

BE IT FURTHER RESOLVED:

The Superintendent and General Counsel are hereby authorized to execute an Engagement Letter on behalf of Tucson Unified School District and to take any further appropriate action and execute all other appropriate documents on behalf of TUSD in relation to this litigation.

APPROVED AND ADOPTED by the Tucson Unified Governing Board on this \_\_\_\_ day of \_\_\_\_\_, 2023.

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Dr. Ravi Shah, President

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Val Romero, Clerk

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Jennifer Eckstrom, Member

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Natalie Luna Rose, Member

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Sadie Shaw, Member