



NEW YORK STATE SENATOR

Kenneth P. LaValle

Senate Passes Cyberbullying Legislation

KENNETH P. LAVALLE June 19, 2012

New York State Senator Kenneth P. LaValle said the Senate passed legislation on June 18 that would provide further protections and procedures for students who are bullied or cyberbullied. The legislation clarifies and expands the Dignity for All Students Act, an anti-cyberbullying law enacted in 2010 and creates guidelines for local school districts to develop policies and procedures to address the problem.

“This legislation helps school districts address bullying and cyberbullying and helps ensure that our school environments are safe for all students,” Senator LaValle said

The comprehensive measure includes within the definitions of bullying and cyberbullying verbal and non-verbal actions, whether on or off school property, which create a risk of substantial disruption of the school environment.

Reports indicate that more than 7 million students from ages 12-18 were bullied at school and with the onslaught of technological advances in recent decades, more than 1.5 million students say they were cyberbullied on or off school property.

The bill (S7740) will clarify the legal definitions of all forms of threats, intimidation and abuse (verbal and nonverbal); create new, clear definitions of cyberbullying; apply to all students,

without limiting the law to students singled out because of race, color, weight, national origin, ethnic group, religion, disability sexual orientation or gender; and recognizes that cyberbullying that takes place off school grounds still has a negative effect on the school environment and falls within the authority of the school to address.

The legislation also clarifies the 2010 law to help local school districts create policies, guidelines and procedures to promote an environment free from bullying and harassment by requiring:

- > A school employee be designated to receive reports of harassment and bullying;
- > Students and parents to make oral and written reports;
- > School employees who witness acts to verbally notify the reporting designee no later than one school day after the incident; and make a written report no later than two school days after the incident;
- > A thorough and equitable investigation of all reports;
- > Prompt actions be taken to end the harassment or bullying, eliminate hostile environment, create a more positive school culture and climate, prevent recurrence, and ensure safety of the bullied/harassed student (for all verified acts of harassment and/or bullying);
- > The prohibition of retaliation for reporting or assisting in the investigation;
- > Regular reporting on data and trends related to harassment and bullying;
- > Prompt reporting of harassment or bullying that constitutes criminal conduct;
- > A copy of the school policy be on the website and annually provided to all employees, students and parents;
- > Development of guidelines related to measured, balanced and age-appropriate responses to discrimination , harassment or bullying, as well as remedies and procedures following a progressive disciplinary model; and
- > Training to address social patterns of bullying, and strategies for effectively addressing

problems of discrimination, exclusion, bias and aggression in educational settings; and

>Amending the existing instruction in civility, citizenship and character education to include an emphasis on discouraging acts of harassment, bullying, and discrimination with a component on instruction of safe, responsible use of the internet and electronic communications.