



NEW YORK STATE SENATOR

Neil D. Breslin

Senator Breslin Providing All Students With A Safe Learning Environment

NEIL D. BRESLIN June 23, 2010

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(Albany, NY)-Committed to ensuring that all students have a safe environment in which to learn, free from harassment and discrimination, Senator Neil D. Breslin (D-Delmar) and the Senate Democratic Majority passed the Dignity for All Students Act (S1987B/ Duane). This legislation aims to provide all students with a safe school environment conducive to learning by putting an end to harassment and discrimination based on race, color, weight, national origin, ethnic group, religion, disability, sexual orientation, gender, or sex.

Senator Breslin said, "School must be a safe place for all students to grow and learn without fear of psychological or even physical abuse. Students cannot explore who they are and what they want to become if they are facing constant abuse. This legislation establishes regulations that will help school districts protect all students from destructive treatment while on school grounds."

In order to address these issues and establish a safer, more constructive school environment, this bill would:

- Prohibit harassment or discrimination against students by employees or students while on school property or on school grounds.

- Define “harassment” as the creation of a hostile environment by conduct, verbal threats, intimidation or abuse that has or would unreasonably interfere with educational performance, opportunities, benefits, or physical or emotional well being, or cause fear for physical safety.
- Prohibit discrimination based on an individual’s actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.

The continuing need for this legislation is apparent from recent data demonstrating the prevalence of bias-based harassment in New York schools. A survey commissioned by the Gay, Lesbian and Straight Education Network (GLSEN) found that more than one-third (39%) of New York students reported that bullying, name calling, and harassment is a serious problem in school. Students were asked about the frequency of witnessing other students bullied, called names, or harassed in school.

From Teasing to Torment: A Report on School Climate in New York (GLSEN 2005), revealed the most commonly reported harassment was based on physical appearance. Sixty-six percent (66%) of students reported that people at school were harassed at least sometimes because of their looks or body size, with 38% reporting that this happened often or very often. This bill therefore now includes weight as one of the examples contained in the non-exclusive list at the end of the harassment definition.

Bullying and harassment based on how people expressed their gender, or because of their actual or perceived sexual orientation was also very common. Fifty seven percent (57%) of respondents reported that students were bullied or harassed at least sometimes because of the way they expressed their gender, and about a quarter (23%) said these behaviors occurred often or very often. More than five out of ten (52%) reported that students were harassed

because they were or were perceived to be lesbian, gay, or bisexual, even as only 5% identified as being so. About a quarter (24%) said these behaviors occurred often or very often.

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