



NEW YORK STATE SENATOR

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Senator Duane Announces the Passage of the Dignity for All Students Act

THOMAS K. DUANE June 23, 2010

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Providing All Students With A Safe Learning Environment

Senate Passes Landmark 'Dignity For All Students Act'

(Albany, NY) Committed to ensuring that all students have a safe environment in which to learn, free from harassment and discrimination, 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 but not limited to race, color, weight, national origin, ethnic group, religion, disability, sexual orientation, gender, or sex.

"No child should be terrified to go to school simply because of who they are. There is no place for bullying and discrimination in New York's classrooms," said Senator Thomas Duane (D-Manhattan), lead sponsor of the bill. "Punishing students after the fact does little to address the root cause of the problem. *Dignity* is unique in that it seeks to prevent bullying, harassment and discrimination through education and awareness before it occurs."

Dignity was one of the first pieces of legislation introduced by Senator Duane upon his election to the Senate in 1999, but was held up during that time in Committee.

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

- Prohibits harassment or discrimination against students by employees or students while on school property or on school grounds.
- Defines "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.

- Prohibits 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.

Senate Majority Conference Leader John L. Sampson said, "Every child is entitled to attend school in an environment free of harassment and discrimination. We know a safe and supportive school environment is vital for students to achieve their full potential, however, far too many students do not have such an environment. I applaud Senator Duane for addressing this very serious problem and standing up against discrimination and bullying for our young people."

Senator Suzi Oppenheimer (D-Mamaroneck), Chair of the Senate Education Committee said, "This important legislation affirms our commitment to a basic but fundamental notion, that preserving a student's dignity and safety in the classroom is essential for learning."

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.

Similar measures have already been passed in 11 other states: California, Connecticut, Iowa, Maine, Maryland, Massachusetts, Minnesota, New Jersey, Vermont, Washington and Wisconsin, and in dozens of New York localities including Albany, Buffalo, East Hampton, Heuvelton, New York City, Rochester, Saratoga Springs and Yonkers.

Senator Duane added, "Once *Dignity* is enacted, it will be the first time protections for our transgendered community will be enshrined in New York Law. *Dignity* is a victory for all

school families and is yet another step in the fight for safety and equality for all New Yorkers.”

Senator Eric Adams (D-Brooklyn) said, “Students require a safe and supportive learning environment. They must focus on academic and personal growth, and threats, harassment, and discrimination are inappropriate in and counterproductive to an educational setting. Stigmatized students often are truant, engage in high risk behaviors such as drug/alcohol use, and attempt suicide, and a school environment must be free from the inappropriate behaviors that precipitate such reactions. By prohibiting harassment in public schools and establishing practical measures such as training and model policies, the ‘Act’ is an important attempt to create more nurturing environments in our schools. The Dignity for All Students Act’ promotes courtesy, consideration, and respect among students and their peers and between students and teachers, fostering an atmosphere where learning is primary and disruptions are diminished. Further, it prescribes a code of conduct and a proactive response to harassment and bullying. I enthusiastically support this legislation.”

Senator Joseph Addabbo (D-Queens) said, “Incidents of harassment and intimidation should not be tolerated in our schools. Our educational environments must be free from any impediments that hamper a student’s opportunity to learn. This bill removes that impediment.”

Senator James Alesi (R-Perinton) said, “We have to address bullying at every level we can. No student should ever be bullied because of any reason. Bullies don’t pick on the toughest

people, they look for the weaknesses in others, and it's our job to protect our children. The scars of bullying can last a lifetime, and the dignity for all students act takes the first step to protect our children from being persecuted, physically and emotionally, in our schools. Our students, each and every one of them, are human beings and we can give them the dignity they deserve."

Senator Neil D. Breslin (D-Albany) 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. I congratulate Senator Duane for standing up for all of the students in New York State."

Senator Brian X. Foley (D-Blue Point) said, "The Dignity for All Students Act will provide much-needed protections for our students. The legislation, which was one of the first bills I co-sponsored when beginning my term in the senate, will ensure that every student can attend class secure in the knowledge that their rights will be fully protected."

Senator Ruth Hassell-Thompson (D-Mt.Vernon) said, "No child should be subjected to abuse and harassment, whether based on their race, weight, religion, disability or sexual orientation. I applaud the passing of this legislation, and Senator Duane's efforts to give all students equal access to a learning environment that fosters educational and emotional growth and is free from fear."

Senator Shirley L. Huntley (D-Jamaica) said, “Besides their own home, a child’s safe haven in many instances is their local school. The ‘Dignity for All Students Act’ ensures that children will not have to fear going to school due to the possibility of being harassed and ridiculed because of their different physical and mental characteristics. A child should not have to worry about how their differences may be perceived among their peers, but rather how to best succeed in school.’

Senator Craig M. Johnson, (D-Nassau) said, “Intimidation and persecution are lessons that no child should have to learn in school. I applaud Senator Duane for the leadership and for the tenacity that he has shown throughout this very long journey.”

Senator Liz Krueger (D-Manhattan) said, "We can no longer ignore the fact that harassment and bullying has become a serious and dangerous problem within our school systems. With the passage of the Dignity for All Students Act we are saying that harassing and violent behavior that targets another student's race, gender, religion or sexual orientation cannot and will not be tolerated. Our students deserve a positive, safe environment to learn in and I believe this Act will help ensure that happens."

Senator Betty Little (R-Queensbury) said, “Our future depends not only on our children learning academics in school, but also learning how to treat each other with respect. We all know that an environment where bullying is not addressed is very detrimental. The impact can last a lifetime if a child’s self-esteem is destroyed. This legislation takes a proactive approach to address this issue and as a legislator, but especially parent and grandparent, I

am pleased to support this bill.”

Senator Velmanette Montgomery (D-Brooklyn) said, “The Dignity for All Students Act ensures that all children receive the opportunity to study and grow in a safe and nurturing environment. Facing discrimination and harassment in a place that should be conducive to learning inhibits their educational and emotional development. I am proud to be a co-sponsor of this important human rights legislation that strives to give all students the chance to take advantage of their budding potential.”

Senator Kevin S. Parker (D-Brooklyn) said, "Education is a basic human right and this Act allows students to learn without having to face the distractions that come with bullying"

Senator Jose Peralta (D-Queens) said, “We must ensure that our schools foster an environment of understanding and respect for all students regardless of race, religion, sexual orientation, disability or any other factor. In order to prepare our children to compete in a global economy we must teach them to celebrate diversity and value the contributions of each member of our global city."

Senator Diane J. Savino (D-Staten Island) said, “We know that bullying can have devastating consequences on youth, sometimes leading to depression, higher drop-out rates, substance abuse and even suicide. If discrimination or harassment is unacceptable in the adult workplace, it should not be tolerated at all in learning environments, when our youth are at

such a critical stage in their development. It is our responsibility to ensure that we foster a positive learning environment, where children can realize their full potential. I commend Senator Duane for his leadership on this issue.”

Senator Eric T. Schneiderman (D-Manhattan/Bronx) said, "It's Pride Month and we ought to celebrate this proud moment for New York State. Today, we took action to protect every student in our state from harassment and discrimination in our schools. This legislation ensures students' right to an education in schools that are free from anti-LGBT bullying, verbal abuse and physical violence. It sends a strong message that every student in New York State will be treated equally, and with the respect they deserve. This is a major victory for justice."

Senator Daniel Squadron (D-Brooklyn/Manhattan) said, "School should be a place where students feel safe -- not threatened or intimidated by bullies. This bill will help foster an environment where students can learn and grow without the fear of being harassed. I commend Senator Duane for his work in passing this very important legislation."

Senator Antoine Thompson (D-parts of Erie & Niagara Counties) said, “When kids get bullied at school, they may keep it to themselves or tell someone at home. A more effective way to handle the bullying issue would be to address it on-site. This legislation equips teachers and staff with the knowledge and training to deal with any situations of harassment right away, instead of allowing the conditions to deteriorate further. I believe this is extremely beneficial for all of our children, and goes a long way toward establishing a culture in our

schools that cultivates learning and allows potential to flourish.”

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