



NEW YORK STATE SENATOR

John J. Flanagan

Senator Flanagan Works To Strengthen Protections For Bullying Victims

JOHN J. FLANAGAN June 17, 2011

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The New York State Senate today passed comprehensive anti-bullying legislation sponsored by Senator John Flanagan (2nd Senate District) that would help prevent cyber-bullying as well as conventional bullying on school grounds to create safer learning environments for children.

Known as the “Law To Encourage the Acceptance of All Differences” (LEAD), the legislation Senator Flanagan sponsored seeks to help end the unrelenting and egregious incidents of all types of bullying. This legislation is necessary due to the abusive actions that have taken place throughout New York State and among diverse age groups. This peer abuse has also had deadly circumstances, as evidenced by a West Islip teen who hanged herself after cyber-bullies taunted her even in death.

“It is clearly the responsibility of the adults in our community to provide the victims of bullying with some protection and the LEAD act is aimed at doing just that. It is a common-sense approach to a growing and dangerous issue and one that the young people of our state deserve,” stated Senator Flanagan, the Chairman of the New York State Senate Education Committee.

The anti-bullying proposal specifically would give New York schools the tools to help reduce bullying by requiring school employees to report incidents of bullying to principals and superintendents and adds bullying to the list of incidents for which a student can be disciplined. It also provides any school employee who acts in good faith when reporting incidents of bullying with immunity from civil liability to protect those who step forward to protect children.

LEAD would require school districts to create policies and guidelines to encourage awareness and to prohibit acts of bullying, and would increase education about bullying prevention for teachers and students. In addition, it would call on schools to place an emphasis on discouraging acts of bullying as

part of its already required instruction on civility, citizenship and character education plan.

LEAD expands the definition of bullying to include: the severe and repeated use by one or more students or school employees of a written, verbal or electronic form, or a physical act or gesture directed at a student that caused physical injury, emotional harm or damage to a student's property; placed the student in a reasonable fear of harm to himself/herself; creating a hostile environment at school; substantially disrupting the educational process or the orderly operation of a school.

While the legislation is intended to protect children from the damage of all types of bullying, it is specific in that it targets cyber-bullying which is done through the use of modern technology and social media. This form of bullying often involves vicious anonymous taunts on social networking sites such as Facebook and can be unrelenting.

In a study funded by the United States Department of Justice, the National Crime Prevention Council reports that cyber-bullying is at an all-time high. Forty-three percent of teenagers reported being victims of cyber-bullying. The vast majority of teens knew their bully, however, only 10 percent of those cyber-bullying victims told their parents or other adults.

Statistics show that efforts are working in states where bullying prevention is taught in schools. According to the National Youth Violence Prevention Resource Center, bullying can be reduced by up to 50 percent when there is a school-wide commitment to preventative and educational programs focused on bullying.

“Bullying by any means can be damaging to a young person’s well-being and has been shown to interfere with a child’s education. This legislation will take important steps to recognize the dangers of cyber-bullying to help protect our students from being victimized by bullies and empower our educators to help protect those who are being targeted,” stated Senator Flanagan. “Bullying has no place in our schools regardless of how it is done and this legislation is an important step in protecting the young people of our community.”

The bill has been sent to the Assembly where it is awaiting further action.