



NEW YORK STATE SENATOR

Martin J. Golden

Senate Passes Bill to Prevent Cyberbullying

MARTIN J. GOLDEN June 19, 2012

The New York State Senate today passed legislation, sponsored by Senator Steve Saland (R-I-C, Poughkeepsie), 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 provides school districts with the tools they need to address bullying and cyberbullying to help ensure that the school environment is safe for all students,” Senator Saland said

This 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.

“Students today live in a cyber-world – it’s how most choose to communicate. It’s also how many are cyberbullied -- whether through messaging, emails or social networking sites, it’s

difficult for victims to escape the 24/7 exposure to threats, bullying or discrimination,” said Senator Saland. “With this new law, when cyberbullying impedes a student’s ability to learn, victims and their parents will now have the ability to report the incidents to school districts to investigate. This is a critically needed step toward ensuring a safe school environment.”

“High tech devices for communication and education are being used by young people to bully, harass and intimidate other students,” Senate Majority Leader Dean G. Skelos said. “I applaud the work of Senator Saland, as well as Senator Ranzenhofer for effectively addressing a very complex problem and helping schools maintain a safe learning environment.”

Senator Michael Ranzenhofer said: "Cyber-bullying is a very serious issue, and something must be done to prevent future tragedies. Cyber-bullying is a 21st century problem that is still being addressed with 20th century solutions, and this legislation takes the first steps in revising our approach to dealing with this issue in response to the advent of internet blogs and social media sites. This legislation will help to ensure our schools are a safe, bully-free environment.

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.

“I thank the Governor for his leadership on this issue and Assemblyman O’Donnell for his advocacy. With the enactment of this important legislation, school districts will have the tools necessary to address all forms of bullying, as well as cyberbullying, whether initiated on or off school grounds if it’s affecting a child’s education,” said Senator Steve Saland. “Neither the public, nor the Legislature, can turn a blind eye to bullying. It’s debilitating, destructive, abusive, and at times, it can be fatal.”