



NEW YORK STATE SENATOR

Catharine Young

Senate Passes Bill to Prevent Cyberbullying

CATHARINE YOUNG June 20, 2012

ALBANY – Senator Catharine Young (R,C,I – 57th District) announced that the state Senate passed legislation to further protect students who are bullied or cyberbullied.

The bill, which clarifies and expands existing law, creates guidelines for school districts to develop policies and procedures to address the problem of cyberbullying.

“This legislation provides our schools with the necessary tools to address a terrible problem. Social media such as Facebook, and text messaging have escalated bullying to an extreme level, sometimes with tragic consequences. We need to ensure our schools are safe so our students can have a positive environment for learning and development,” Senator Young said.

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.

“Our students now communicate in a cyber world, where text messages, emails and social networking sites can make it difficult for victims to escape the 24/7 exposure to any threats, bullying or discrimination,” Senator Young said.

The new measure, which defines bullying and cyberbullying to include verbal and non-verbal actions, whether on or off school property, which create a risk of substantial disruption of the school environment.

“When cyberbullying inhibits a student’s ability to learn, victims and their parents will now have the ability to report the incident to a school for investigation, which is a critical piece in promoting a safe academic atmosphere,” Senator Young said.

“This is a very serious issue, and this legislation is an important step in preventing future tragedies. I thank the Governor and Assembly for their work to equip schools with the tools necessary to address all forms of bullying, as well as cyberbullying, regardless of where it begins,” she added.

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.

The bill was sent to the Assembly.

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