



NEW YORK STATE SENATOR

Charles J. Fuschillo Jr.

Senator Fuschillo Announces Passage of Legislation to Prevent Cyberbullying

CHARLES J. FUSCHILLO JR. July 2, 2012

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Legislation Would Strengthen Existing Law to Better Protect Children from Being Bullied

Senator Charles J. Fuschillo, Jr. (R – Merrick) announced that both the State Senate and Assembly recently passed legislation he supports to further protect children from bullying and cyberbullying.

"In the digital age, bullying no longer stops when a child leaves school. The Internet allows bullies to harass and ridicule their victims at all hours of the day and night online for their peers to see. This legislation will help address the rapidly growing problem of cyberbullying, protect our children, and ensure that they have the safe learning environment they deserve," said Senator Fuschillo.

The legislation (S7740) expands the definitions of 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. In addition, the current anti-bullying and cyberbullying law would be expanded to ensure that it applies to all students, not just those singled out because of race, color, weight, national origin, ethnic group, religion, disability sexual orientation or gender. The legislation also recognizes that cyberbullying which takes

place off school grounds still has a negative effect on the school environment and falls within the authority of the school to address.

Additionally, the legislation clarifies existing 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 legislation will be sent to Governor Cuomo for consideration. Governor Cuomo is expected to sign the legislation when it reaches his desk.