



NEW YORK STATE SENATOR

Martin J. Golden

Governor Cuomo Signs Legislation to Help Protect Students From Cyberbullying

MARTIN J. GOLDEN July 9, 2012

Governor Andrew M. Cuomo today signed legislation that will help protect students from cyberbullying as well as other forms of harassment, bullying, and discrimination.

The new law is designed to strengthen a school's response to harassment and bullying through improved reporting, investigation, intervention, training and prevention. The new law requires schools to take action when students experience cyberbullying or other forms of harassment. It ensures that school districts take immediate steps to end harmful behavior, prevent recurrences, and ensure the safety of the targeted students. The legislation also establishes improved training to help teachers and administrators better prevent and respond to bullying and other harmful acts.

"We must do all we can to ensure that every child in New York State feels safe in the classroom, and this new law will help our schools create an environment that is conducive to educational success," Governor Cuomo said. "Under this new law, schools will play an important role – working with families, communities and law enforcement – to prevent harassment, bullying and discrimination, and to support a student's right to learn. I commend Majority Leader Skelos, Speaker Silver, the bill sponsors, and the many advocates who worked hard in helping put this comprehensive bill together."

Senate Majority Leader Dean G. Skelos said, "The law signed today tackles many of the challenges currently facing schools and families seeking to put an end to cyberbullying. I commend Senators Saland and Ranzenhofer, Governor Cuomo and the Assembly for coming together to enact legislation that addresses this very complex problem, helps protect our students' emotional well-being, and ensures safe learning environments."

Assembly Speaker Sheldon Silver said, "Threats, intimidation, and abuse have no place in our schools. I commend the Governor for signing this bill into law and further empowering school districts to address harmful and hostile acts both on and off school grounds."

Senator Stephen Saland said, "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. 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. I thank the Governor for his leadership on this issue and Assemblyman O'Donnell for his advocacy. This is a critically needed step toward ensuring a safe school environment."

Senator Michael Ranzenhofer said, "Cyber bullying is a 21st century problem that is still being addressed with statutes from the 20th century. It is so critical to revise our approach to this issue, and this new law will help crack down on this serious problem facing our youth. I applaud Governor Cuomo for signing this important legislation into law."

Assembly Member Daniel O'Donnell said, "Children cannot succeed when they fear for their safety at school, worry about being bullied or cyberbullied, or suffer discrimination and taunts. Especially given the growing impact of social media on our kids, I offer my heartfelt praise for this expansion of the Dignity for All Students Act and I applaud the Governor for

supporting this legislation and making it law in New York State. We owe it to the youth of New York to expand the safety net that surrounds their growth and development."

Cyberbullying is an especially harmful form of bullying. Through the use of technology, bullies are able to harass their targets at a distance, outside of schools, in front of broad audiences and sometimes under the protection of anonymity. Research has revealed a link between cyberbullying and low self-esteem, family problems, academic problems, school violence, and delinquent behavior, as well as long-term consequences that include increased depression, substance use, aggressive impulses, and school truancy. Recent well-publicized cases involving cyberbullying – sometimes combined with other forms of bullying – have led to suicide. If left unattended, bullying can rapidly escalate into even more serious violence and abuse.

In 2009, more than 7 million U.S. students ages 12-18 – representing 28 percent of all students in that age range – were bullied at school and more than 1.5 million students -- 6 percent – were subject to cyberbullying on or off school property. A 2011 survey of New York high school students revealed that, during the previous year, nearly 18 percent had been bullied on school property and 16 percent had experienced cyberbullying through e-mail, chat rooms, instant messaging, Web sites, texting or other electronic means.

The new law cracks down on cyberbullying through the following provisions:

Requires Schools to Act When Cyberbullying Occurs

The law requires that schools act in cases of cyberbullying, which may occur on or off campus, when it creates or would create a substantial risk to the school environment, substantially interferes with a student's educational performance or mental, emotional or physical well-being, or causes a student to fear for his or her physical safety.

Ensures Proper Protocols Are in Place to Deal with Cyberbullying

The law requires school districts to put in place protocols to deal with cyberbullying, harassment, bullying and discrimination, including assignment of a school official to receive and investigate reports; prompt reporting and investigation; responsive actions to prevent recurrence of any verified bullying; coordination with law enforcement when appropriate; development of a bullying prevention strategy; and notice to all school community members of the school's policies.

Sets Training Requirements For School Employees to Help Identify and Prevent Cyberbullying

The law sets training requirements for current school employees, as well as for new teachers and administrators applying for a certificate or license, on the identification and mitigation of harassment, bullying, cyberbullying and discrimination.

The new law goes into effect on July 1, 2013.