



NEW YORK STATE SENATOR

Charles J. Fuschillo Jr.

Senator Fuschillo Announces New Law to Protect Children From Cyberbullying

CHARLES J. FUSCHILLO JR. July 9, 2012

| ISSUE: **CHILDREN**

Senator Charles J. Fuschillo, Jr. (R – Merrick) announced that legislation he supports to further protect children from bullying and cyberbullying has been signed into law by Governor Andrew Cuomo.

“Bullying no longer takes place only at school. In an era where technology allows us to communicate almost instantly with many people at a time, children are being bullied 24 hours a day over the Internet where all their peers can see it. Cyberbullying can cause serious harm to children and it’s a growing problem that must be addressed. This law will help protect children from cyberbullying and ensure that they have a safe learning environment,” said Senator Fuschillo.

The new law 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 existing anti-bullying and cyberbullying law will 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 new law 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 law helps ensure that 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);
- Prohibiting 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 law takes effect on July 1, 2013.