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I N S E N A T E

January 27, 2016

Introduced by Sen. LANZA -- read twice and ordered printed, and when printed to be committed to the Committee on Education

AN ACT to amend the education law, in relation to teen dating violence education programs

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Subdivision 7 of section 11 of the education law, as
2 amended by chapter 102 of the laws of 2012, is amended to read as
3 follows:
4 7. "Harassment" and "bullying" shall mean the creation of a hostile
5 environment by conduct or by threats, intimidation, COERCION or abuse,
6 including cyberbullying OR TEEN DATING VIOLENCE, that (a) has or would
7 have the effect of unreasonably and substantially interfering with a
8 student's educational performance, opportunities or benefits, or mental,
9 emotional or physical well-being; or (b) reasonably causes or would
10 reasonably be expected to cause a student to fear for his or her phys-
11 ical safety; or (c) reasonably causes or would reasonably be expected to
12 cause physical injury or emotional harm to a student; or (d) occurs off
13 school property and creates or would foreseeably create a risk of
14 substantial disruption within the school environment, where it is fore-
15 seeable that the conduct, threats, intimidation or abuse might reach
16 school property. Acts of harassment and bullying shall include, but not
17 be limited to, those acts based on a person's actual or perceived race,
18 color, weight, national origin, ethnic group, religion, religious prac-
19 tice, disability, sexual orientation, gender or sex. For the purposes of
20 this definition the term "threats, intimidation or abuse" shall include
21 verbal and non-verbal actions.
22 S 2. Section 11 of the education law is amended by adding a new subdi-
23 vision 9 to read as follows:
24 9. "TEEN DATING VIOLENCE" SHALL MEAN EMOTIONAL ABUSE, ELECTRONIC
25 ABUSE, SEXUAL ABUSE WHICH INCLUDES SEXUAL COERCION, AND/OR PHYSICAL
26 ABUSE BY A PERSON TO HARM, THREATEN, INTIMIDATE, CONTROL, AND/OR ATTEMPT
27 TO CONTROL ANOTHER PERSON IN A RELATIONSHIP OF A ROMANTIC OR INTIMATE
28 NATURE, REGARDLESS OF WHETHER THAT RELATIONSHIP IS CONTINUING OR HAD

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets [] is old law to be omitted.

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1 CONCLUDED OR THE NUMBER OF INTERACTIONS BETWEEN THE INDIVIDUALS
2 INVOLVED.

3 S 3. Section 13 of the education law is amended by adding a new subdi-
4 vision 6 to read as follows:

5 6. GUIDELINES RELATING TO THE DEVELOPMENT OF STRATEGIES AND RESPONSES
6 TO TEEN DATING VIOLENCE AS PROVIDED IN SECTION THIRTEEN-A OF THIS ARTI-
7 CLE.

8 S 4. The education law is amended by adding a new section 13-a to read
9 as follows:

10 S 13-A. POLICIES, PROCEDURES AND GUIDELINES FOR TEEN DATING VIOLENCE
11 EDUCATION PROGRAMS. 1. THE BOARD OF EDUCATION AND THE TRUSTEES OR SOLE
12 TRUSTEE OF EVERY SCHOOL DISTRICT SHALL CREATE POLICIES, PROCEDURES AND
13 GUIDELINES TO IMPLEMENT EDUCATION PROGRAMS FOR STUDENTS IN KINDERGARTEN
14 THROUGH TWELFTH GRADE TO PREVENT, DETER AND ADDRESS INCIDENTS OF TEEN
15 DATING VIOLENCE THAT INCLUDE, BUT ARE NOT LIMITED TO:

16 A. INCORPORATING AGE-APPROPRIATE INFORMATION ABOUT HEALTHY RELATION-
17 SHIPS AND TEEN DATING VIOLENCE INTO THE SCHOOL'S EXISTING CURRICULUM
18 THAT INCLUDES: (I) A DEFINITION OF TEEN DATING VIOLENCE; (II) RECGNI-
19 TION OF WARNING SIGNS; (III) CHARACTERISTICS OF A HEALTHY RELATIONSHIP;
20 (IV) LINKS BETWEEN BULLYING AND TEEN DATING VIOLENCE; (V) RESPONSIBLE
21 USE OF TECHNOLOGY; AND (VI) RESPONSIBLE BYSTANDER SKILLS AND BEHAVIORS;

22 B. PROVIDING TRAINING PROGRAMS FOR TEACHERS, ADMINISTRATORS AND
23 PERSONNEL;

24 C. DESIGNATING AT LEAST ONE PERSON AS A PREVENTION LIAISON WHO IS
25 RESPONSIBLE FOR COORDINATING ALL TEEN DATING VIOLENCE AND HEALTHY
26 RELATIONSHIP INITIATIVES; AND

27 D. DEVELOPING A RESPONSE PROGRAM TO INCIDENTS OF TEEN DATING VIOLENCE,
28 WHICH INCLUDES MONITORING AND REPORTING COMPONENTS.

29 2. THE BOARD OF EDUCATION AND THE TRUSTEES OR SOLE TRUSTEE OF EVERY
30 SCHOOL DISTRICT SHALL CREATE SUCH POLICIES, PROCEDURES AND GUIDELINES IN
31 CONSULTATION WITH THE NEW YORK STATE COALITION AGAINST DOMESTIC VIOLENCE
32 AND LOCAL COMMUNITY PROVIDERS, AND INCLUDE WITHOUT LIMITATION SUCH MODEL
33 PROVISIONS AS ARE RECOMMENDED BY THE NEW YORK STATE COALITION AGAINST
34 DOMESTIC VIOLENCE.

35 S 5. Paragraph j of subdivision 2 of section 2801-a of the education
36 law, as added by chapter 181 of the laws of 2000, is amended to read as
37 follows:

38 j. strategies for improving communication among students and between
39 students and staff and reporting of potentially violent incidents, such
40 as the establishment of youth-run programs, peer mediation, conflict
41 resolution, creating a forum or designating a mentor for students
42 concerned with bullying or violence, INCLUDING TEEN DATING VIOLENCE, and
43 establishing anonymous reporting mechanisms for school violence; and

44 S 6. Section 801-a of the education law, as amended by chapter 102 of
45 the laws of 2012, is amended to read as follows:

46 S 801-a. Instruction in civility, citizenship and character education.
47 The regents shall ensure that the course of instruction in grades
48 kindergarten through twelve includes a component on civility, citizen-
49 ship and character education. Such component shall instruct students on
50 the principles of honesty, tolerance, personal responsibility, respect
51 for others, with an emphasis on PREVENTING AND discouraging acts of
52 harassment, bullying, INCLUDING TEEN DATING VIOLENCE, discrimination,
53 observance of laws and rules, courtesy, dignity and other traits which
54 will enhance the quality of their experiences in, and contributions to,
55 the community. Such component shall include instruction of safe, respon-
56 sible use of the internet and electronic communications. The regents

1 shall determine how to incorporate such component in existing curricula
2 and the commissioner shall promulgate any regulations needed to carry
3 out such determination of the regents. For the purposes of this section,
4 "tolerance," "respect for others" and "dignity" shall include awareness
5 and sensitivity to harassment, bullying, INCLUDING TEEN DATING VIOLENCE,
6 discrimination and civility in the relations of people of different
7 races, weights, national origins, ethnic groups, religions, religious
8 practices, mental or physical abilities, sexual orientations, genders,
9 and sexes.

10 S 7. This act shall take effect on the one hundred twentieth day after
11 it shall have become a law; provided that the commissioner of education
12 is authorized to promulgate any and all rules and regulations and take
13 any other measures necessary to implement this act on its effective date
14 on or before such date.