S T A T E O F N E W Y O R K

7759

I N S E N A T E

May 6, 2010

Introduced by Sen. OPPENHEIMER -- 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 required training for individuals applying for certification or licensure to be a teacher

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

Section 1. Section 3004 of the education law is amended by adding a new subdivision 2-a to read as follows:

2-A. A. THE COMMISSIONER SHALL PRESCRIBE REGULATIONS REQUIRING ALL PERSONS APPLYING FOR CERTIFICATION OR A LICENSE TO BE A TEACHER, ON OR AFTER JANUARY FIRST, TWO THOUSAND ELEVEN, TO HAVE COMPLETED A MINIMUM OF SIX HOURS OF COURSEWORK AND TRAINING IN HOW TO RECOGNIZE AND RESPOND TO INCIDENTS OF BULLYING, HARASSMENT AND INTIMIDATION. EACH APPLICANT SHALL PROVIDE THE DEPARTMENT WITH DOCUMENTATION SHOWING THAT THE APPLICANT HAS SUCCESSFULLY COMPLETED THE REQUIRED TRAINING. SUCH COURSEWORK OR TRAINING SHALL BE IN ADDITION TO ALL OTHER CERTIFICATION OR LICENSURE REQUIREMENTS.

B. COURSEWORK AND TRAINING REQUIRED BY THIS SUBDIVISION SHALL: (I) BE PROVIDED BY AN INSTITUTION OR PROVIDER WHICH HAS BEEN APPROVED BY THE DEPARTMENT TO PROVIDE SUCH COURSEWORK OR TRAINING; AND (II) SHALL INCLUDE, BUT NOT BE LIMITED TO, INFORMATION TO HELP TEACHERS IDENTIFY AND APPROPRIATELY RESPOND TO INCIDENTS OF BULLYING, HARASSMENT AND INTIMIDATION IN SCHOOLS, AND SHALL PROVIDE TEACHERS WITH SKILLS TO PROMOTE POSITIVE AND APPROPRIATE SOCIAL INTERACTIONS, TOLERANCE, RESPECT AND ACCEPTANCE OF DIVERSITY.

C. FOR THE PURPOSE OF THIS SECTION, BULLYING, HARASSMENT AND INTIMIDATION ARE DEFINED AS ANY AGGRESSIVE BEHAVIOR INCLUDING VERBAL OR PHYSICAL CONDUCT, AND WRITTEN OR ELECTRONIC COMMUNICATION, THAT HAS OR WOULD HAVE THE EFFECT OF CREATING A HOSTILE EDUCATIONAL ENVIRONMENT BY SUBSTANTIALLY INTERFERING WITH A STUDENT'S EDUCATIONAL BENEFITS, OPPORTUNITIES OR PERFORMANCE, OR WITH A STUDENT'S PHYSICAL OR PSYCHOLOGICAL WELL-BEING, OR THAT REASONABLY CAUSES OR WOULD REASONABLY BE EXPECTED TO CAUSE A STUDENT TO FEAR FOR HIS OR HER PHYSICAL SAFETY.

S 2. This act shall take effect on the one hundred twentieth day after it shall have become a law.

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

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