STATE OF NEW YORK

7773

2023-2024 Regular Sessions

IN SENATE

November 29, 2023

Introduced by Sens. CANZONERI-FITZPATRICK, MARTINS, GRIFFO, OBERACKER, WEBER, ASHBY, BORRELLO, HELMING, MATTERA, MURRAY, O'MARA, ORTT, PALUMBO, RHOADS, ROLISON, TEDISCO -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the education law, in relation to establishing the "dismantling student antisemitism act"

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Short title. This act shall be known and may be cited as the "dismantling student antisemitism act" or "DSA act".

§ 2. The education law is amended by adding a new section 6436-a to read as follows:

§ 6436-a. Dismantling student antisemitism act. 1. The chancellors of the city university of New York and state university of New York, and all presidents of accredited higher education institutions, shall:

(a) amend current policies and procedures which require all college and university administrators, faculty, staff and students to attend sensitivity training seminars, to include training pertaining to antisemitism;

(b) establish, and implement on an ongoing basis, a training program for all current and new employees regarding the policies and procedures established pursuant to this section;

(c) consult with an expert in the areas of antisemitism awareness, prevention, and Jewish history and culture to conduct the sensitivity training described in paragraph (a) of this subdivision;

(d) provide information pertaining to such policies and procedures to the department;

(e) make such information available to the public, including alumni, regarding who to contact with questions regarding this policy and how to report violations of this policy;

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

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(f) ensure that appropriate investigation is made into complaints of hate and discrimination related to antisemitism and that discipline is imposed for such behavior in accordance with each entity's policies and processes; and

(g) maintain records to ensure compliance with annual training, reporting, and alternative supervision requirements.

2. The chancellors of the city university of New York and state university of New York, and all presidents of accredited higher education institutions shall adopt and publish a uniform hate and discrimination policy statement related to antisemitism. Each such institution shall publish such policy statement on its website.

3. (a) The chancellors of the city university of New York and state university of New York, and all presidents of accredited higher education institutions shall record incidents of hate and discrimination related to antisemitism on all campuses throughout the academic year and submit an aggregated report of these incidents to the department by July first of each year. Such report shall include, but not be limited to:

(i) the number of such incidents that were reported;

(ii) the number of reporting individuals who sought the institution's judicial or conduct process;

(iii) the number of cases processed through the institution's judicial or conduct process;

(iv) the number of respondents who were found responsible through the institution's judicial or conduct process;

(v) the number of respondents who were found not responsible through the institution's judicial or conduct process;

(vi) a description of the final sanctions imposed by the institution for each incident for which a respondent was found responsible through the institution's judicial or conduct process, as provided for in subparagraph (iv) of this paragraph;

(vii) the number of cases in the institution's judicial or conduct process that were closed prior to a final determination after the respondent withdrew from the institution and declined to complete the disciplinary process; and

(viii) the number of cases in the institution's judicial or conduct process that were closed prior to a final determination because the complaint was withdrawn by the reporting individual.

(b) Such report shall:

(i) not reflect personal information, as provided for in paragraph (a) of this subdivision, if, in the best judgment of the department, it would compromise the confidentiality of reporting individuals or any other party;

(ii) be delivered by the department to the governor, the temporary president of the senate, the speaker of the assembly, and the minority leaders of the assembly and senate by December thirty-first of each year; and

(iii) be made publicly available by the department and all accredited higher education institutions each year.

§ 3. This act shall take effect immediately.