STATE OF NEW YORK

7977--A

2025-2026 Regular Sessions

IN ASSEMBLY

April 16, 2025

Introduced by M. of A. TORRES, TAYLOR, McDONALD, SHIMSKY -- read once and referred to the Committee on Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to strengthening protections against discrimination, harassment, and bullying based on actual or perceived immigration status, and to improve implementation and oversight under the Dignity for All Students 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 "End Bullying and Discrimination in Schools Everywhere (BEACON) Act".

§ 2. Section 11 of the education law, is amended by adding a new subdivision 11 to read as follows:

11. "Immigration status" shall mean a person's actual or perceived citizenship or residency status, including but not limited to United States citizenship, lawful permanent residency, refugee or asylum status, temporary protected status, Deferred Action for Childhood Arrivals (DACA) status, or lack of lawful immigration status. For purposes of this article, protections based on immigration status shall also extend to students from mixed-status families, meaning families in which one or more members have different immigration statuses, including undocumented or noncitizen statuses.

§ 3. Subdivision 7 of section 11 of the education law, as amended by chapter 102 of the laws of 2012, is amended to read as follows:

7. "Harassment" and "bullying" shall mean the creation of a hostile environment by conduct or by threats, intimidation or abuse, including cyberbullying, that (a) has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional or physical well-being;

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

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or (b) reasonably causes or would reasonably be expected to cause a student to fear for [~~his or her~~] **their** physical safety; or (c) reasonably causes or would reasonably be expected to cause physical injury or emotional harm to a student; or (d) occurs off school property and creates or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property. Acts of harassment and bullying shall include, but not be limited to, those acts based on a person's actual or perceived race, color, weight, national origin, ethnic group, **immigration status,** religion, religious practice, disability, sexual orientation, gender or sex. For the purposes of this definition the term "threats, intimidation or abuse" shall include verbal and non-verbal actions.

§ 4. Subdivision 1 of section 12 of the education law, as amended by chapter 102 of the laws of 2012, is amended to read as follows:

1. No student shall be subjected to harassment or bullying by employees or students on school property or at a school function; nor shall any student be subjected to discrimination based on a person's actual or perceived race, color, weight, national origin, ethnic group, **immigration status,** religion, religious practice, disability, sexual orientation, gender, or sex by school employees or students on school property or at a school function. Nothing in this subdivision shall be construed to prohibit a denial of admission into, or exclusion from, a course of instruction based on a person's gender that would be permissible under section thirty-two hundred one-a or paragraph (a) of subdivision two of section twenty-eight hundred fifty-four of this chapter and title IX of the Education Amendments of 1972 (20 U.S.C. section 1681, et. seq.), or to prohibit, as discrimination based on disability, actions that would be permissible under section 504 of the Rehabilitation Act of 1973.

§ 5. Subdivision 3 of section 13 of the education law, as amended by chapter 102 of the laws of 2012, is amended to read as follows:

3. Guidelines relating to the development of nondiscriminatory instructional and counseling methods, and requiring that at least one staff member at every school be thoroughly trained to handle human relations in the areas of race, color, weight, national origin, ethnic group, **immigration status,** religion, religious practice, disability, sexual orientation, gender, and sex; and

§ 6. Section 13 of the education law is amended by adding a new subdivision 6 to read as follows:

6. Each school district shall ensure that every school building designates at least one Dignity Act coordinator responsible for supporting implementation of the policies and procedures required under this article. The Dignity Act coordinator shall serve as a point of contact for students, families, and staff regarding incidents of harassment, bullying, and discrimination. The individual designated shall not be the school principal, headmaster, or any other administrator or staff member whose primary duties include student discipline. School districts may additionally designate a districtwide compliance coordinator or team to oversee implementation, provide training, and monitor trends across schools.

§ 7. Section 14 of the education law is amended by adding a new subdivision 6 to read as follows:

6. The commissioner shall develop and make available to school districts guidance on preventing and responding to harassment, bullying and discrimination based on immigration status, including specific guid-

ance on addressing cyberbullying incidents targeting immigrant students. Such guidance shall include model policies for school districts to incorporate into their codes of conduct and best practices for training school personnel and educating students and families on the rights of students under this article. This guidance shall further recognize the unique vulnerabilities of students from mixed-status families.

§ 8. Section 15 of the education law, as amended by chapter 102 of the laws of 2012, is amended to read as follows:

§ 15. Reporting by commissioner. The commissioner shall create a procedure under which material incidents of harassment, bullying and discrimination on school grounds or at a school function are reported to the department at least on an annual basis. Such procedure shall provide that such reports shall, wherever possible, also delineate the specific nature of such incidents of harassment, bullying and discrimination, [~~provided that the~~] and indicate, where known and appropriate, the category or categories of protected class that were the subject of such conduct. The department shall issue guidance for schools on how to collect and report this information in a manner that is consistent, feasible, and protective of student privacy. Public summaries of the data shall present trends disaggregated by protected class, without disclosing individual or school-level identifiers. The commissioner may comply with the requirements of this section through use of the existing uniform violent incident reporting system. In addition the department may conduct research or undertake studies to determine compliance throughout the state with the provisions of this article.

§ 9. This act shall take effect on the first of July next succeeding the date on which it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.