

STATE OF NEW YORK

8396

2025-2026 Regular Sessions

IN ASSEMBLY

May 13, 2025

Introduced by M. of A. WOERNER, LEVENBERG -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to enacting the student suicide prevention act

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

1 Section 1. Short title. This act shall be known and may be cited as
2 the "student suicide prevention act".

3 § 2. The education law is amended by adding a new article 2-A to read
4 as follows:

ARTICLE 2-A

STUDENT SUICIDE PREVENTION

Section 20. Legislative intent.

21. Definitions.

22. Policies, procedures, and guidelines.

23. Application.

24. Severability and construction.

12 § 20. Legislative intent. The legislature finds and declares the
13 following: 1. According to data from the federal Centers for Disease
14 Control and Prevention as reported in the year two thousand sixteen,
15 suicide is the second leading cause of death for youth and young adults
16 ten to twenty-four years of age, inclusive, in both the United States
17 and in New York state.

18 2. As children and teens spend a significant amount of their young
19 lives in school, the personnel who interact with them on a daily basis
20 are essential gatekeepers for recognizing warning signs of suicide and
21 making the appropriate referrals for help.

22 3. In a national survey conducted by the Jason Foundation, a teacher
23 was identified as the number one person to whom a student would turn to
24 help a friend who might be suicidal. It is imperative that when a young

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

LBD06148-03-5

1 person comes to a teacher for help, such teacher has the knowledge,
2 tools, and resources to respond correctly.

3 4. In the year two thousand eighteen, the federal Centers for Disease
4 Control and Prevention found in its Youth Risk Behavior Survey that
5 lesbian, gay, and bisexual youth are almost four times more likely to
6 seriously consider attempting suicide, have made a suicide plan, or have
7 attempted suicide, than their heterosexual peers.

8 5. There are national hotlines available to help adults and youth,
9 including lesbian, gay, bisexual, transgender, queer or questioning
10 (LGBTQ) youth, who are experiencing suicidal ideation or who are worried
11 about a family member or peer who may be at risk, including the National
12 Suicide Prevention Lifeline, the Crisis Text Line, the Trevor Project
13 Lifeline, and TrevorChat.

14 6. According to the Family Acceptance Project, research has found
15 that, for an LGBTQ youth, having at least one supportive adult can
16 reduce the youth's risk of suicide.

17 7. New York state schools face the serious issues of students at high
18 risk of suicide and death by suicide in the school communities. School
19 personnel must be supported by clear policies and procedures, which
20 serve as an easily-accessible roadmap, eliminate confusion over educator
21 roles and the referral process, and equip educators with the tools to
22 respond safely when a suicide does occur in the school community.

23 § 21. Definitions. For the purposes of this article, the following
24 terms shall have the following meanings: 1. "Crisis situation" means a
25 situation where a teacher or other local educational agency employee
26 believes a student or other individual is in imminent danger of a
27 suicide attempt.

28 2. "LGBTQ" means individuals who identify, with regards to gender, as
29 being lesbian, gay, bisexual, transgender, queer or questioning.

30 3. "Local educational agency" means a school district, board of coop-
31 erative educational services, school, or the education department.

32 4. "Suicide intervention" means specific actions schools can take in
33 response to suicidal behavior by a student, including, but not limited
34 to:

35 a. student supervision;

36 b. notification of parents or guardians;

37 c. crisis situation response protocols;

38 d. when and how to request an immediate mental health assessment or
39 emergency services; and

40 e. school re-entry procedures following a student mental health
41 crisis.

42 5. "Suicide postvention" means planned support and interventions
43 schools can implement after a suicide attempt or suicide death of a
44 member of the school community that are designed to:

45 a. reduce the risk of the spread of suicidal thoughts or intentions;

46 b. provide support for affected students and school-based personnel;

47 c. address the social stigma associated with suicide; and

48 d. disseminate factual information about suicide and its prevention.

49 6. "Suicide prevention" means specific actions schools can take to
50 recognize and reduce suicidal behavior, including, but not limited to:

51 a. identifying risks and protective factors for suicide and suicide
52 warning signs;

53 b. establishing a process by which students are referred to a mental
54 and behavioral health provider for help;

55 c. making available school-based and community-based mental health
56 supports;

1 d. providing the location of available online and community suicide
2 prevention resources, including local crisis centers and hotlines;

3 e. adopting policies and protocols regarding suicide prevention,
4 intervention, and postvention, school safety, and response to crisis
5 situations;

6 f. training for school personnel who interact directly with students
7 in recognizing suicide risks and warning signs and how to refer students
8 for further assessment and evaluation; and

9 g. instruction to students in problem-solving and coping skills to
10 promote students' mental, emotional, and social health and well-being,
11 and instruction in recognizing and appropriately responding to signs of
12 suicidal intent in others.

13 7. "Mechanical restraints" means any device that restricts an individ-
14 ual's freedom of movement and that the individual cannot easily remove,
15 including but not limited to handcuffs and nylon or velcro restraints.

16 § 22. Policies, procedures, and guidelines. 1. The governing board or
17 body of every local educational agency that serves students in grades
18 seven to twelve, inclusive, shall, before the first day of August, two
19 thousand twenty-five, adopt policies, procedures, and guidelines on
20 student suicide prevention, intervention, and postvention for students
21 in such grades. Such policies, procedures, and guidelines shall be
22 developed in consultation with school and community stakeholders,
23 school-employed mental health professionals, and suicide prevention
24 experts, and shall include, but not be limited to:

25 a. methods to increase awareness of the relationship between suicide
26 and suicide risk factors including, but not limited to:

27 i. mental health and substance use conditions;

28 ii. childhood abuse, neglect, or trauma;

29 iii. prolonged stress, including individual experiences such as bully-
30 ing, harassment, family or relationship stress, or other stressful life
31 events, as well as collective stressors such as systemic bias and
32 discrimination;

33 iv. exposure to another person's suicide, or sensationalized or graph-
34 ic accounts of suicide; and

35 v. previous suicide attempts or history of suicide within a student's
36 family;

37 b. identification of training opportunities on recognizing suicide
38 risks, and referral procedures available to school employees;

39 c. availability of expertise from school employees who have been
40 trained in recognizing suicide risks, and referral procedures;

41 d. how school employees should respond to suspicion, concerns, or
42 warning signs of suicide in students;

43 e. how school employees should respond to a crisis situation where a
44 student is in imminent danger to themself;

45 f. policies and protocols for communication with parents, including
46 those that specify what to do if parental notification is not in the
47 best interest of the student;

48 g. counseling services available within the school for students and
49 their families that are related to suicide prevention;

50 h. availability of information concerning crisis situation inter-
51 vention, suicide prevention, and mental health services in the community
52 for students and their families and school employees;

53 i. identification and development of partnerships with community
54 organizations and agencies for referral of students to health, mental
55 health, substance use, and social support services, including develop-
56 ment of at least one memorandum of understanding between the local

1 education agency and such an organization or agency in the community or
2 region, other than a law enforcement agency;

3 j. development of a culturally competent plan to assist survivors of
4 attempted suicide and to assist students and school employees in coping
5 with an attempted suicide or a suicide death within the school communi-
6 ty; and

7 k. development of any other related program or activity for students
8 or school employees.

9 2. The policies, procedures, and guidelines adopted pursuant to subdi-
10 vision one of this section shall specifically address the needs of high-
11 risk groups, including, but not limited to, the following:

12 a. youth who have lost a friend or family member to suicide;

13 b. youth with disabilities or with chronic health conditions, includ-
14 ing mental health and substance use conditions;

15 c. youth experiencing homelessness or in out-of-home settings, such as
16 foster care; and

17 d. LGBTQ youth.

18 3. The policies, procedures, and guidelines adopted pursuant to subdi-
19 vision one of this section shall be written to ensure that a school
20 employee acts only within the authorization and scope of such employee's
21 credential or license. Nothing in this section shall be construed as
22 authorizing or encouraging a school employee to diagnose or treat mental
23 health conditions unless such employee is specifically licensed and
24 employed to do so.

25 4. The policies, procedures and guidelines adopted pursuant to this
26 section shall ensure that school officials are solely responsible for
27 responding to student behavior. Such policies, procedures and guidelines
28 shall make clear that law enforcement involvement in addressing student
29 behavior should be the last resort and shall make clear that unless
30 otherwise authorized by state law:

31 a. Law enforcement officers and school resource officers shall not use
32 mechanical restraints on a student unless such restraints are necessary
33 to prevent imminent and serious physical injury to such student or
34 another person, and the use of such restraints is limited in duration to
35 the time period in which such student presents a risk of causing serious
36 physical injury to themselves or others; and

37 b. Any determination that a student requires hospital transport for a
38 mental health evaluation shall be made by a clinically trained mental
39 health professional whenever practicable. Such student shall be accompa-
40 nied during such transport by a school social worker, guidance counse-
41 lor, nurse, therapist or a designated school employee, and such person
42 shall stay with the student until their parent or parent's designee
43 arrives. The school shall be responsible for contacting the parent when
44 such hospital transport is needed.

45 5. Notwithstanding any other provision of law to the contrary, no
46 cause of action may be brought for any loss or damage caused by any act
47 or omission resulting from the implementation of the provisions of this
48 article, or resulting from any training, or lack of training, required
49 by this article. Nothing in this article shall be construed to impose
50 any specific duty of care.

51 6. To assist local educational agencies in developing policies for
52 student suicide prevention, the department shall develop and maintain
53 model policies, procedures, and guidelines in accordance with this
54 section to serve as a guide for local educational agencies. Such model
55 policies, procedures, and guidelines shall be posted within thirty days
56 of their completion on the department's internet website, along with

1 relevant resources and information to support schools in developing and
2 implementing the policies, procedures, and guidelines required under
3 subdivision one of this section.

4 7. The governing board or body of a local educational agency that
5 serves students in grades seven to twelve, inclusive, shall review, at
6 minimum every fifth year following the effective date of this article,
7 its policies, procedures, and guidelines on student suicide prevention
8 and, if necessary, update such policies, procedures, and guidelines.

9 § 23. Application. The provisions of this article shall apply to all
10 private and public educational institutions in New York state.

11 § 24. Severability and construction. The provisions of this article
12 shall be severable, and if any court of competent jurisdiction declares
13 any phrase, clause, sentence or provision of this article to be invalid,
14 or its applicability to any government agency, person or circumstance is
15 declared invalid, the remainder of this article and its relevant appli-
16 cability shall not be affected. The provisions of this article shall be
17 liberally construed to give effect to the purposes thereof.

18 § 3. Subdivisions 1, 2, 7 and 8 of section 11 of the education law,
19 subdivisions 1 and 2 as added by chapter 482 of the laws of 2010 and
20 subdivision 7 as amended and subdivision 8 as added by chapter 102 of
21 the laws of 2012, are amended and a new subdivision 11 is added to read
22 as follows:

23 1. "School property" shall mean in or within any building, structure,
24 athletic playing field, playground, parking lot, or land contained with-
25 in the real property boundary line of a public elementary or secondary
26 school; or in or on a school bus, as defined in section one hundred
27 forty-two of the vehicle and traffic law; or in a school administrative
28 building.

29 2. "School function" shall mean a school-sponsored extra-curricular
30 event or activity, or a school board or trustee meeting.

31 7. "Harassment" [~~and "bullying"~~] shall mean the creation of a hostile
32 environment by conduct or by threats, intimidation or abuse, including
33 cyberbullying, that (a) has or would have the effect of unreasonably and
34 substantially interfering with a student's educational performance,
35 opportunities or benefits, or mental, emotional or physical well-being;
36 or (b) reasonably causes or would reasonably be expected to cause a
37 student to fear for [~~his or her~~] their physical safety; or (c) reason-
38 ably causes or would reasonably be expected to cause physical injury or
39 emotional harm to a student; or (d) occurs off school property and
40 creates or would foreseeably create a risk of substantial disruption
41 within the school environment, where it is foreseeable that the conduct,
42 threats, intimidation or abuse might reach school property. Acts of
43 harassment [~~and bullying~~] shall include, but not be limited to, those
44 acts based on a person's actual or perceived race, color, weight,
45 national origin, ethnic group, religion, religious practice, disability,
46 sexual orientation, gender or sex. For the purposes of this definition
47 the term "threats, intimidation or abuse" shall include verbal and non-
48 verbal actions.

49 8. "Cyberbullying" shall mean harassment or bullying as defined in
50 [~~subdivision seven of~~] this section, [~~including paragraphs (a), (b), (c)~~
51 ~~and (d) of such subdivision,~~] where such harassment or bullying occurs
52 through any form of electronic communication, including but not limited
53 to cell phones, email, social media or text messaging.

54 11. "Bullying" shall mean a pattern of repeated and deliberate aggres-
55 sive acts intended to harm or humiliate another person who is smaller,
56 weaker, younger or in any way more vulnerable than the bully, and may

1 involve verbal attacks, teasing, physical attacks, threats of harm,
2 sharing personal or private information about someone causing embarrass-
3 ment, deliberate exclusion from activities, or other forms of intim-
4 idation. The deliberate targeting of a vulnerable person distinguishes
5 "bullying" from "conflict" or other kinds of aggression.

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

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

23 § 5. Paragraphs e, k and l of subdivision 1 of section 13 of the
24 education law, as added by chapter 102 of the laws of 2012, are amended
25 and a new paragraph m is added to read as follows:

26 e. require the school, when an investigation reveals any such verified
27 harassment, bullying or discrimination, to take prompt actions reason-
28 ably calculated to end the harassment, bullying or discrimination, elim-
29 inate any hostile environment, create a more positive school culture and
30 climate, prevent recurrence of the behavior, and ensure the safety of
31 the student or students against whom such harassment, bullying or
32 discrimination was directed. Such actions shall be consistent with the
33 guidelines created pursuant to subdivision four of this section and
34 shall take into consideration whether notification of persons in
35 parental relation to the student who is the subject of such harassment,
36 bullying or discrimination is in the best interest of the student;

37 k. require each school, at least once during each school year, to
38 provide all school employees, students and parents with a written or
39 electronic copy of the school district's policies created pursuant to
40 this section, or a plain-language summary thereof, including notifica-
41 tion of the process by which students, parents and school employees may
42 report harassment, bullying and discrimination and to post a written
43 notification informing students about such policy and the name of the
44 school employee designated to receive reports of harassment, bullying
45 and discrimination in the school lobby and in every restroom used by
46 students as well as other parts of the school where students are likely
47 to see such notification. This subdivision shall not be construed to
48 require additional distribution of such policies and guidelines if they
49 are otherwise distributed to school employees, students and parents;

50 l. maintain current versions of the school district's policies created
51 pursuant to this section on the school district's internet website, if
52 one exists; and

53 m. include safe, responsible use of the internet and electronic commu-
54 nications in the school district's policies; and

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

1 § 15. Reporting by commissioner and use of reports. 1. The commis-
2 sioner shall create a procedure under which material incidents of
3 harassment, bullying and discrimination on school grounds or at a school
4 function are reported to the department at least on an annual basis.
5 Such procedure shall provide that such reports shall, wherever possible,
6 also delineate the specific nature of such incidents of harassment,
7 bullying and discrimination, [~~provided that the commissioner may comply~~
8 ~~with the requirements of this section through use of the existing~~
9 ~~uniform violent incident reporting system~~] including but not limited to
10 whether such incidents were student-on-student, student-on-employee, or
11 employee-on-student, the number of complaints dismissed and the basis
12 for dismissal, the number of students, if any, who withdrew from the
13 school following the filing of a complaint and prior to the next
14 succeeding school year, the number of complaints resulting in any action
15 taken, and the action taken, including student or employee training or
16 education, student or employee discipline, or employee removal, leave of
17 absence, or retirement. In addition, the department may conduct research
18 or undertake studies to determine compliance throughout the state with
19 the provisions of this article.

20 2. The commissioner shall use such reports and data to identify
21 schools and districts that are failing to meet the standards and objec-
22 tives of this article. The commissioner shall promulgate policies and
23 procedures for improving conditions at these schools to ensure proper
24 training, support, and compliance with all requirements.

25 3. The commissioner shall deliver the report referenced in subdivision
26 one of this section to the legislature, temporary president of the
27 senate, speaker of the assembly, chair of the senate education committee
28 and chair of the assembly education committee every two years on or
29 before the first day of November.

30 § 7. Section 16 of the education law, as amended by chapter 102 of the
31 laws of 2012, is amended to read as follows:

32 § 16. Protection of people who report harassment, bullying or discrim-
33 ination. Any person having reasonable cause to suspect that a student
34 has been subjected to harassment, bullying or discrimination, by an
35 employee, school board member, school trustee or student, on school
36 grounds or at a school function, who, acting reasonably and in good
37 faith, reports such information to school officials, to the commissioner
38 or to law enforcement authorities, acts in compliance with paragraph e
39 or i of subdivision one of section thirteen of this article, or other-
40 wise initiates, testifies, participates or assists in any formal or
41 informal proceedings under this article, shall have immunity from any
42 civil liability that may arise from the making of such report or from
43 initiating, testifying, participating or assisting in such formal or
44 informal proceedings, and no school district or employee shall take,
45 request or cause a retaliatory action against any such person who,
46 acting reasonably and in good faith, either makes such a report or
47 initiates, testifies, participates or assists in such formal or informal
48 proceedings.

49 § 8. Subdivision 1 of section 2801 of the education law, as amended by
50 chapter 402 of the laws of 2005, is amended to read as follows:

51 1. a. For purposes of this section, [~~school property~~] the following
52 terms shall have the following meanings:

53 (i) "School property" means:

54 (A) in or within any building, structure, athletic playing field,
55 playground, parking lot or land contained within the real property boun-

1 dary line of a public elementary or secondary school or within a school
2 administration building; or
3 (B) in or on a school bus, as defined in section one hundred forty-two
4 of the vehicle and traffic law[~~, and a school function~~].
5 (ii) "School function" shall mean a school-sponsored or school-author-
6 ized extra-curricular event or activity or a school board or trustee
7 meeting, regardless of where such event or activity takes place, includ-
8 ing any event or activity that may take place in another state.
9 b. This section shall also apply to cyberbullying, whether on or off
10 school property or at a school function.
11 § 9. This act shall take effect immediately.