STATE OF NEW YORK

5403--A

2025-2026 Regular Sessions

IN ASSEMBLY

February 13, 2025

Introduced by M. of A. SOLAGES, HEVESI, SIMON, SEAWRIGHT, REYES, LASHER, DAVILA, TAYLOR, SAYEGH, BICHOTTE HERMELYN, SEPTIMO, CLARK, GIBBS, BORES, PHEFFER AMATO, TORRES, McDONALD, PAULIN, BRONSON, KIM, DeSTEFANO, GLICK -- read once and referred to the Committee on Education -- reported and referred to the Committee on Ways and Means -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to enacting the "Jack Reid Law: Protect 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 "Jack Reid Law: Protect All Students Act".

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

ARTICLE 2-A

JACK REID LAW: PROTECT ALL STUDENTS ACT

Section 19. Legislative intent.
20. Definitions.
21. Bullying and harassment prevention and response.
22. Applicability.
23. Severability and construction.

§ 19. Legislative intent. The legislature finds that students' ability to learn and to meet high academic standards, and a school's ability to educate its students, are compromised by incidents of harassment including bullying, taunting or intimidation. It is hereby declared to be the policy of the state to afford all students in nonpublic schools an environment free of bullying and harassment. The purpose of this article is to foster civility in nonpublic schools and to prevent and prohibit conduct which is inconsistent with a school's educational mission.

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

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§ 20. Definitions. For the purposes of this article, the following terms shall have the following meanings:

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

2. "School function" shall mean a nonpublic school-sponsored extracurricular event or activity.

3. "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; (b) reasonably causes or would reasonably be expected to cause a student to fear for their physical safety; (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. For purposes of this definition, the term "threats, intimidation or abuse" shall include verbal and nonverbal actions.

4. "Cyberbullying" shall mean harassment or bullying as defined in subdivision three of this section, where such harassment or bullying occurs through any form of electronic communication.

5. "School" shall mean any nonpublic elementary or secondary school.

§ 21. Bullying and harassment prevention and response. 1. No student shall be subjected to harassment or bullying, including cyberbullying, by other students on school property or at a school function.

2. Every school, subject to this section, shall adopt a written in plain-language and age-appropriate anti-bullying and harassment policy, which must be published on the school's website or internal parent/student portal and shared annually with employees, parents, and students. Such policy shall include but not be limited to information on how bullying and harassment is defined, how incidents will be reported, investigated, and documented, and an age-appropriate process for notifying the victim about the final outcome of the investigation.

3. School employees who witness bullying or harassment, or receive an oral or written report of bullying or harassment, shall promptly notify the principal or head of school or the principal's or head of school's designee, orally not later than one school day after such school employee witnesses or receives a report of bullying and harassment, and must file a written report with the principal or head of school's designee not later than two school days after making the initial oral report.

4. Upon a report of bullying, harassment, or retaliation, the principal or head of school, or the principal or head of school's designee, must investigate promptly, communicate their findings with the victim and take immediate steps and appropriate follow-up action reasonably calculated to ensure that such conduct has stopped and ensure the safety of the student or students including retaliation against any individual who in good faith reports such bullying or assists in the investigation.

§ 22. Applicability. Nothing in this section is intended to infringe upon any right to exercise free expression or the free exercise of religion or religiously based views protected under the First Amendment to

the United States Constitution, section eight of article I of the New York State Constitution, sections three hundred thirteen and thirty-two hundred one of this chapter, and subdivision eleven of section two hundred ninety-six of the executive law.

§ 23. Severability and construction. The provisions of this article shall be severable, and if any court of competent jurisdiction declares any phrase, clause, sentence or provision of this article to be invalid, or its applicability to any government agency, person or circumstance is declared invalid, the remainder of this article and its relevant applicability shall not be affected. The provisions of this article shall be liberally construed to give effect to the purposes thereof.

§ 3. This act shall take effect immediately.