

STATE OF NEW YORK

8396--A

2025-2026 Regular Sessions

IN ASSEMBLY

May 13, 2025

Introduced by M. of A. WOERNER, LEVENBERG, ROZIC -- read once and referred to the Committee on Education -- recommitted to the Committee on Education in accordance with Assembly Rule 3, sec. 2 -- 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 student suicide prevention 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 "student suicide prevention act".

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

ARTICLE 2-B

STUDENT SUICIDE PREVENTION

Section 24. Legislative intent.

25. Definitions.

26. Policies, procedures, and guidelines.

27. Reporting.

28. Application.

29. Severability and construction.

§ 24. Legislative intent. The legislature finds and declares the following: 1. According to data from the National Center for Health Statistics, suicide remains a critical issue. In two thousand twenty-one, suicide was the second leading cause of death for youth and young adults ten to twenty-four years of age, inclusive, in both the United States and in New York state.

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

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

LBD06148-11-6

3. In a national survey conducted by the Jason Foundation, a teacher was identified as the number one person to whom a student would turn to help a friend who might be suicidal. It is imperative that when a young person comes to a teacher for help, such teacher has the knowledge, tools, and resources to respond correctly.

4. In the year two thousand eighteen, the federal Centers for Disease Control and Prevention found in its Youth Risk Behavior Survey that lesbian, gay, and bisexual youth are almost four times more likely to seriously consider attempting suicide, have made a suicide plan, or have attempted suicide, than their heterosexual peers. In two thousand twenty-four, Trevor Project National Survey, thirty-nine percent of lesbian, gay, bisexual, transgender, queer or questioning (LGBTQ) youth seriously considered attempting suicide in the past year, and twelve percent attempted suicide.

5. There are national hotlines available to help adults and youth, including LGBTQ youth, who are experiencing suicidal ideation or who are worried about a family member or peer who may be at risk, including the National Suicide Prevention Lifeline, the Crisis Text Line, the Trevor Project Lifeline, and TrevorChat.

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

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

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

2. "LGBTQ" means lesbian, gay, bisexual, transgender, queer or questioning.

3. "Local educational agency" means a school district, board of cooperative educational services, school, or the education department.

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

a. student supervision;
b. notification of parents or guardians;
c. crisis situation response protocols;
d. when and how to request an immediate mental health assessment or emergency services; and
e. school re-entry procedures following a student mental health crisis.

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

a. reduce the risk of the spread of suicidal thoughts or intentions;
b. provide support for affected students and school-based personnel;
c. address the social stigma associated with suicide; and
d. disseminate factual information about suicide and its prevention.

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

- 1 a. identifying risks and protective factors for suicide and suicide
- 2 warning signs;
- 3 b. establishing a process by which students are referred to a mental
- 4 and behavioral health provider for help;
- 5 c. making available school-based and community-based mental health
- 6 supports;
- 7 d. providing the location of available online and community suicide
- 8 prevention resources, including local crisis centers and hotlines;
- 9 e. adopting policies and protocols regarding suicide prevention,
- 10 intervention, and postvention, school safety, and response to crisis
- 11 situations;
- 12 f. training for classroom teachers, school counselors, school psychol-
- 13 ogists, school social workers, school coaches, school administrators or
- 14 supervisors and the superintendent of schools in recognizing suicide
- 15 risks and warning signs and how to refer students for further assessment
- 16 and evaluation; and
- 17 g. instruction to students in problem-solving and coping skills to
- 18 promote students' mental, emotional, and social health and well-being,
- 19 and instruction in recognizing and appropriately responding to signs of
- 20 suicidal intent in others.
- 21 § 26. Policies, procedures, and guidelines. 1. The governing board or
- 22 body of every local educational agency that serves students in grades
- 23 seven to twelve, inclusive, shall, before the first day of August, two
- 24 thousand twenty-seven, adopt policies, procedures, and guidelines on
- 25 student suicide prevention, intervention, and postvention for students
- 26 in such grades. Such policies, procedures, and guidelines shall be
- 27 developed in consultation with school and community stakeholders,
- 28 school-employed mental health professionals, and suicide prevention
- 29 experts, and shall include, but not be limited to:
- 30 a. methods to increase awareness of the relationship between suicide
- 31 and suicide risk factors including, but not limited to:
- 32 i. mental health and substance use conditions;
- 33 ii. childhood abuse, neglect, or trauma;
- 34 iii. prolonged stress, including individual experiences such as bully-
- 35 ing, harassment, family or relationship stress, or other stressful life
- 36 events, as well as collective stressors such as systemic bias and
- 37 discrimination;
- 38 iv. exposure to another person's suicide, or sensationalized or graph-
- 39 ic accounts of suicide; and
- 40 v. previous suicide attempts or history of suicide within a student's
- 41 family;
- 42 b. identification of training opportunities on recognizing suicide
- 43 risks, coordination with training conducted pursuant to article two of
- 44 this chapter, and identification of referral procedures available to
- 45 school employees;
- 46 c. availability of expertise from school employees who have been
- 47 trained in recognizing suicide risks, and referral procedures;
- 48 d. how school employees should respond to suspicion, concerns, or
- 49 warning signs of suicide in students;
- 50 e. how school employees should respond to a crisis situation where a
- 51 student is in imminent danger to themself;
- 52 f. policies and protocols for communication with parents, including
- 53 those that specify what to do if parental notification is not in the
- 54 best interest of the student;
- 55 g. counseling services available within the school for students and
- 56 their families that are related to suicide prevention;

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

4 i. identification and development of partnerships with community
5 organizations and agencies for referral of students to health, mental
6 health, substance use, and social support services, including develop-
7 ment of at least one memorandum of understanding between the local
8 education agency and such an organization or agency in the community or
9 region, other than a law enforcement agency;

10 j. development of a culturally competent plan to assist survivors of
11 attempted suicide and to assist students and school employees in coping
12 with an attempted suicide or a suicide death within the school communi-
13 ty; and

14 k. development of any other related program or activity for students
15 or school employees.

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

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

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

22 c. youth experiencing homelessness or in out-of-home settings, such as
23 foster care;

24 d. LGBTQ youth; and

25 e. students who have been the target of harassment, bullying, coercive
26 control or discrimination.

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

34 4. The policies, procedures and guidelines adopted pursuant to this
35 section shall incorporate the terms of the school's written contract or
36 memorandum of understanding on the role of law enforcement as required
37 pursuant to section two thousand eight hundred one-a of this chapter,
38 ensure that school officials are solely responsible for responding to
39 student behavior, and make clear that unless otherwise authorized by
40 state law, any determination that a student requires hospital transport
41 for a mental health evaluation shall be made, whenever practicable, by a
42 clinically trained mental health professional employed or contracted by
43 the school. Such student shall be accompanied during such transport by
44 a school social worker, guidance counselor, nurse, therapist or a desig-
45 nated school employee, and such person shall stay with the student until
46 their parent or parent's designee arrives. The school shall be responsi-
47 ble for contacting the parent when such hospital transport is needed.

48 5. To assist local educational agencies in developing policies for
49 student suicide prevention, the department shall develop and maintain
50 model policies, procedures, and guidelines in accordance with this
51 section to serve as a guide for local educational agencies. Such model
52 policies, procedures, and guidelines shall be posted within thirty days
53 of their completion on the department's internet website, along with
54 relevant resources and information to support schools in developing and
55 implementing the policies, procedures, and guidelines required under
56 subdivision one of this section.

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

6 § 27. Reporting. 1. The commissioner, in conjunction with the commis-
7 sioner of health, shall create a procedure under which incidents of
8 suicide or attempted suicide by students are reported to the department
9 every five years by the first day of September, provided that such
10 reporting shall not contain information identifiable with any individual
11 student. Such procedure shall provide that such reports shall also
12 delineate whether such student was the subject of a report of harass-
13 ment, bullying, coercive control or discrimination; and whether they had
14 transferred into the school within the preceding twelve months. In addi-
15 tion, the department shall request the comptroller to undertake studies
16 to determine compliance throughout the state with the provisions of this
17 article.

18 2. The commissioner shall use such reports and data to identify
19 schools and districts that may benefit from assistance to meet the stan-
20 dards and objectives of this article. The commissioner shall promulgate
21 policies and procedures for improving conditions at these schools to
22 ensure proper training, support, and compliance with all requirements.

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

29 § 28. Application. The provisions of this article shall apply to all
30 private and public educational institutions, including charter schools,
31 in New York state.

32 § 29. Severability and construction. The provisions of this article
33 shall be severable, and if any court of competent jurisdiction declares
34 any phrase, clause, sentence or provision of this article to be invalid,
35 or its applicability to any government agency, person or circumstance is
36 declared invalid, the remainder of this article and its relevant appli-
37 cability shall not be affected. The provisions of this article shall be
38 liberally construed to give effect to the purposes thereof.

39 § 3. Section 10 of the education law, as added by chapter 482 of the
40 laws of 2010, is amended to read as follows:

41 § 10. Legislative intent. The legislature finds that students' ability
42 to learn and to meet high academic standards, and a school's ability to
43 educate its students, are compromised by incidents of discrimination or
44 harassment including bullying, taunting or intimidation. It is hereby
45 declared to be the policy of the state to afford all students in public
46 schools an environment free of discrimination and harassment, whether in
47 the school building or on the internet. The purpose of this article is
48 to foster civility in public schools and to prevent and prohibit conduct
49 which is inconsistent with a school's educational mission.

50 § 4. Subdivisions 1, 2, 7 and 8 of section 11 of the education law,
51 subdivisions 1 and 2 as added by chapter 482 of the laws of 2010 and
52 subdivision 7 as amended and subdivision 8 as added by chapter 102 of
53 the laws of 2012, are amended and three new subdivisions 11, 12 and 13
54 are added to read as follows:

55 1. "School property" shall mean in or within any building, structure,
56 athletic playing field, playground, parking lot, or land contained with-

1 in the real property boundary line of a public elementary or secondary
2 school; or in or on a school bus, as defined in section one hundred
3 forty-two of the vehicle and traffic law; or in or within a school
4 administrative building.

5 2. "School function" shall mean a school board or trustee meeting or a
6 school-sponsored or school-authorized extra-curricular event or activity
7 regardless of where such event or activity takes place, including any
8 event or activity that may take place in another state including but not
9 limited to field trips and athletic practices, scrimmages and events.

10 7. "Harassment" [~~and "bullying"~~] shall mean the creation of a hostile
11 environment by a fellow member of the school community or an agent of
12 such member by conduct or by threats, intimidation or abuse, including
13 by bullying, cyberbullying or coercive control, that (a) has or would
14 have the effect of unreasonably [~~and substantially~~] interfering with [~~a~~]
15 such student's educational performance, opportunities or benefits, or
16 mental, emotional or physical well-being; or (b) reasonably causes or
17 would reasonably be expected to cause [~~a~~] such student to fear for [~~his~~
18 ~~or her~~] their physical safety; or (c) reasonably causes or would reason-
19 ably be expected to cause physical injury or emotional harm to [~~a~~] such
20 student; or (d) occurs off school property and creates or would foresee-
21 ably create a risk of [~~substantial~~] unreasonable disruption within the
22 school environment, where it is foreseeable that the conduct, threats,
23 intimidation or abuse might reach school property. Acts of harassment,
24 [~~and~~] bullying and coercive control shall include, but not be limited
25 to, [~~those~~] acts based on a person's actual or perceived race, color,
26 weight, age, physical characteristics, national origin, ethnic group,
27 religion, religious practice, disability, sexual orientation, gender or
28 sex. For the purposes of this definition the term "threats, intimidation
29 or abuse" shall include verbal and non-verbal actions.

30 8. "Cyberbullying" [~~shall mean~~] is a type of harassment [~~or~~], includ-
31 ing bullying or coercive control as defined in subdivision seven of this
32 section, [~~including paragraphs (a), (b), (c) and (d) of such subdivi-~~
33 ~~sion,~~] where such harassment [~~or bullying~~] occurs through any form of
34 electronic communication, including but not limited to cell phones,
35 email, social media, chat rooms or text messaging.

36 11. "Bullying" is a type of harassment as defined in this section that
37 shall mean a pattern of deliberate aggressive acts by a person or group
38 intended to harm, dominate or humiliate another person who is in any way
39 perceived to be more vulnerable than the aggressor. Bullying may involve
40 verbal attacks, teasing, physical attacks, or threats of harm to such
41 other person or another person, intentionally sharing personal or
42 private information or images about someone without their consent caus-
43 ing embarrassment or reputational harm to them, intentionally altering
44 the personal information or the social media account of a person without
45 their consent, intentionally using artificial intelligence to mimic or
46 alter a person's likeness or voice without their consent, deliberately
47 excluding a person from activities, or other forms of intimidation. The
48 deliberate targeting of a more vulnerable person by one person or a
49 group of persons distinguishes "bullying" from "conflict" or other kinds
50 of aggression not addressed by this article. "Bullying" involves one
51 person or a group with an intent to harm, dominate or humiliate another
52 person who is perceived by the bully as having less power, including but
53 not limited to less physical strength or social power, and in a
54 "conflict" there is a disagreement between two active parties.

55 12. "Coercive control" is a type of harassment as defined in this
56 section that shall mean a pattern of behavior used by a person with

leverage over another person to influence such other person's conduct by dominating, isolating or instilling fear or confusion in them and which results in distress or erodes their sense of autonomy or safety. Coercive control may manifest between student partners in an affectionate relationship or between a school employee, school coach or board member or trustee and a student, and may involve surveillance over the other person, isolating the other person from friends or family, gaslighting the other person, punishing the other person for asserting autonomy, or asserting rules over the other person's friendships, clothing, movements, communications, bodily autonomy or emotional expression through fear, guilt or manipulation.

13. "Gaslighting" shall mean the act of manipulating a person into doubting their own perceptions, memory, or understanding of reality.

§ 5. 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 or coercive control by employees, school coaches, school board members or trustees, or students on school property ~~[or]~~, at a school function or through any form of electronic communication; nor shall any student be subjected to discrimination based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex by school employees, school coaches, school board members or trustees, or students on school property ~~[or]~~, at a school function or through any form of electronic communication. 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.

§ 6. Subdivisions 1, 2, 4 and 5 of section 13 of the education law, subdivisions 1 and 2 as amended and subdivisions 4 and 5 as added by chapter 102 of the laws of 2012, are amended and a new subdivision 6 is added to read as follows:

1. Policies and procedures intended to create a school environment that is free from harassment, bullying, coercive control and discrimination, that include but are not limited to provisions which:

a. identify the principal, superintendent or the principal's or superintendent's designee as the school employee charged with receiving reports of harassment, bullying, coercive control and discrimination;

b. enable students and parents to make an oral or written report of harassment, bullying, coercive control or discrimination to teachers, administrators and other school personnel that the school district deems appropriate, as identified in the district's policies, procedures and guidelines;

c. require school employees, school coaches or school board members or trustees who witness harassment, bullying, coercive control or discrimination, or receive an oral or written report of harassment, bullying, coercive control or discrimination, to promptly orally notify the principal, superintendent or the principal's or superintendent's designee, or in the case of an employee, school coach or school board member or trustee who receives a written report, to promptly deliver such report, not later than one school day after such school employee, school coach

1 or school board member or trustee witnesses or receives a report of
2 harassment, bullying, coercive control or discrimination[, ~~and to file a~~
3 ~~written report with the principal, superintendent or the principal or~~
4 ~~superintendent's designee not later than two school days after making~~
5 ~~such oral report~~];

6 d. require the principal, superintendent or the principal's or super-
7 intendent's designee to (i) prepare a written report not later than one
8 school day after receiving an oral report of harassment, bullying, coer-
9 cive control or discrimination from a school employee, school coach or
10 school board member or trustee; (ii) lead or supervise the thorough
11 investigation of all reports of harassment, bullying, coercive control
12 and discrimination, including to promptly but not later than one school
13 day after receiving a report of harassment, bullying, coercive control
14 or discrimination, contact the individual who made such report, where
15 possible, to discuss allegations, any witnesses or other corroboration
16 including but not limited to screenshots of electronic communications,
17 and desired resolutions, and to prepare a written report of such meet-
18 ing; and [to] (iii) ensure that such investigation is completed promptly
19 after the completion or receipt of any written reports made under this
20 section;

21 e. require the school, when an investigation reveals any such verified
22 harassment, bullying, coercive control or discrimination, to take prompt
23 actions reasonably calculated to end the harassment, bullying, coercive
24 control or discrimination, eliminate any hostile environment, create a
25 more positive school culture and climate, prevent recurrence of the
26 behavior, and ensure the safety of the student or students against whom
27 such harassment, bullying, coercive control or discrimination was
28 directed. Such actions shall be consistent with the guidelines created
29 pursuant to subdivision four of this section;

30 f. prohibit retaliation against any individual who, in good faith,
31 reports, or assists in the investigation of, harassment, bullying, coer-
32 cive control or discrimination;

33 f-1. provide for the receipt of credible anonymous tips and informa-
34 tion regarding harassment, bullying, coercive control or discrimination;

35 g. include a school strategy to prevent harassment, bullying, coercive
36 control and discrimination, including but not limited to, parent educa-
37 tion sessions and semiannual age-appropriate school assemblies regarding
38 topics such as conflict resolution and de-escalation techniques;

39 h. require the principal to make a regular report on data and trends
40 related to harassment, bullying, coercive control and discrimination to
41 the superintendent and shall, pursuant to the direction of the board of
42 education or the trustees or sole trustee of such school district,
43 require such report to include the results of a survey shared with fami-
44 lies, staff and students by the thirty-first of December which asks
45 questions concerning the everyday experiences and perceptions of such
46 stakeholders with respect to safety and the school environment. The
47 results of such survey shall be published on the school's website by the
48 next succeeding first of July;

49 i. require the principal, superintendent or the principal's or super-
50 intendent's designee, to notify promptly the appropriate local law
51 enforcement agency when such principal, superintendent or the princi-
52 pal's or superintendent's designee, believes that any harassment, bully-
53 ing, coercive control or discrimination constitutes criminal conduct;

54 j. include appropriate references to the provisions of the school
55 district's code of conduct, including the code of conduct for school
56 coaches, adopted pursuant to section twenty-eight hundred one of this

chapter that are relevant to harassment, bullying, coercive control and discrimination;

k. require each school, at least once during each school year, to provide all school employees, school coaches, students [~~and~~], parents or guardians and school board members or trustees with a written or electronic copy of the school district's policies created pursuant to this section, or a plain-language summary thereof, including notification of the process by which students, parents [~~and~~] or guardians, school employees, school coaches or school board members or trustees may report harassment, bullying or coercive control and discrimination [~~—This subdivision shall not be construed to require additional distribution of such policies and guidelines if they are otherwise distributed to school employees, students and parents~~], provide copies of such plain-language summary to all students at a general assembly held at the beginning of the school year, and conspicuously post a written notification informing students about such policy, the name of the school employee designated to receive reports of harassment, bullying, coercive control or discrimination and the web address for the New York state center for school safety in the school lobby and in every restroom used by students as well as other parts of the school where students are likely to see such notification;

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

m. include a school strategy to foster safe, responsible use of the internet and electronic communications; and

2. Guidelines to be used in school training programs to discourage the development of harassment, bullying, coercive control and discrimination, and to make school employees, school coaches and school board members or trustees aware of the effects of harassment, bullying, coercive control, cyberbullying and discrimination on students and that are designed:

a. to raise the awareness and sensitivity of school employees, school coaches and school board members or trustees to potential harassment, bullying, coercive control and discrimination, and

b. to enable employees, school coaches and school board members or trustees to prevent and respond to harassment, bullying, coercive control and discrimination; and

4. Guidelines relating to the development of measured, balanced and age-appropriate responses to instances of harassment, bullying, coercive control or discrimination by students, with remedies and procedures following a progressive model that make appropriate use of intervention, discipline and education, vary in method according to the nature of the behavior, the developmental age of the student and the student's history of problem behaviors, and are consistent with the district's code of conduct; and

5. Training required by this section shall address the social patterns of harassment, bullying, coercive control and discrimination, as defined in section eleven of this article, including but not limited to those acts based on a person's actual or perceived race, color, weight, age, physical characteristics, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex, the identification and mitigation of harassment, bullying, coercive control and discrimination including but not limited to training in restorative justice and mediation techniques, [~~and~~] strategies for effectively addressing problems of exclusion, bias and aggression in educational

1 settings~~[-]~~, and the recognition of suicide risks and warning signs and
2 how to refer students for further assessment and evaluation; and

3 6. The governing board or body of a local educational agency shall
4 review, at minimum every fifth year following the effective date of this
5 subdivision, its policies, procedures, and guidelines on harassment,
6 bullying, coercive control and discrimination and, if necessary, update
7 such policies, procedures, and guidelines.

8 § 7. Subdivisions 1 and 5 of section 14 of the education law, subdivi-
9 sion 1 as amended by chapter 102 of the laws of 2012, and subdivision 5
10 as amended by chapter 90 of the laws of 2013, are amended and a new
11 subdivision 6 is added to read as follows:

12 1. Provide direction, which may include development of model policies
13 and, to the extent possible, direct services, to school districts
14 related to preventing harassment, bullying, coercive control and
15 discrimination and to fostering an environment in every school where all
16 children can learn free of manifestations of bias;

17 5. ~~[The commissioner shall prescribe]~~ Prescribe regulations that
18 school professionals applying on or after December thirty-first, two
19 thousand thirteen for a certificate or license, including but not limit-
20 ed to a certificate or license valid for service as a classroom teacher,
21 school counselor, school psychologist, school social worker, school
22 coach, school administrator or supervisor or superintendent of schools
23 shall, in addition to all other certification or licensing requirements,
24 have completed training on the social patterns of harassment, bullying
25 and discrimination, as defined in section eleven of this article,
26 including but not limited to those acts based on a person's actual or
27 perceived race, color, weight, age, physical characteristics, national
28 origin, ethnic group, religion, religious practice, disability, sexual
29 orientation, gender or sex, the identification and mitigation of harass-
30 ment, bullying, coercive control and discrimination, ~~[and]~~ strategies
31 for effectively addressing problems of exclusion, bias and aggression in
32 educational settings and, for all such school professionals applying on
33 or after December thirty-first two thousand twenty-six for such a
34 certificate or license, recognizing suicide risks and warning signs and
35 how to refer students for further assessment and evaluation.

36 6. Develop model student, staff and family surveys in accordance with
37 section thirteen of this article to assist local education agencies to
38 conduct such surveys during the course of a school year.

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

41 § 15. Reporting by commissioner and use of reports. 1. The commis-
42 sioner shall create a procedure under which ~~[material]~~ relevant inci-
43 dents of harassment, bullying and discrimination on school grounds, ~~[or]~~
44 at a school function, or through any form of electronic communication
45 are reported to the department at least on an annual basis, provided
46 that such reporting shall not contain information identifiable with any
47 individual student. Such procedure shall provide that such reports
48 shall~~[-, wherever possible,]~~ also delineate the specific nature of such
49 incidents of harassment, bullying or coercive control and discrimi-
50 nation, ~~[provided that the commissioner may comply with the requirements~~
51 ~~of this section through use of the existing uniform violent incident~~
52 ~~reporting system]~~ including but not limited to whether an incident
53 constituted harassment, bullying, coercive control, cyberbullying,
54 discrimination or any combination thereof; whether an incident involved
55 a student, school employee, school coach or school board member or trus-
56 tee aggressor and whether such aggressor acted individually or in a

1 group; the school's response to such incident; whether a targeted
2 student withdrew from school or relocated schools within the current or
3 immediately subsequent school year following a report of an incident;
4 and the total number of reports dismissed and the resolution for each.
5 Notwithstanding any provision in this article to the contrary, effective
6 resolution of an incident does not negate the district's obligation to
7 report it to the department. In addition, the department [~~may conduct~~
8 ~~research or~~] shall request the comptroller to undertake studies to
9 determine compliance throughout the state with the provisions of this
10 article.

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

16 3. The commissioner shall deliver the report referenced in subdivision
17 one of this section to the legislature, temporary president of the
18 senate, speaker of the assembly, chair of the senate education committee
19 and chair of the assembly education committee every two years on or
20 before the first day of November.

21 § 9. Section 16 of the education law, as amended by chapter 102 of the
22 laws of 2012, is amended to read as follows:

23 § 16. Protection of people who report harassment, bullying, coercive
24 control or discrimination. Any person having reasonable cause to suspect
25 that a student has been subjected to harassment, bullying, coercive
26 control or discrimination, by an employee, school coach, school board
27 member or trustee or student, on school grounds [~~or~~], at a school func-
28 tion or through any form of electronic communication, who, acting
29 reasonably and in good faith, reports such information to school offi-
30 cials, to the commissioner or to law enforcement authorities, acts in
31 compliance with paragraph e or i of subdivision one of section thirteen
32 of this article, or otherwise initiates, testifies, participates or
33 assists in any formal or informal proceedings under this article, shall
34 have immunity from any civil liability that may arise from the making of
35 such report or from initiating, testifying, participating or assisting
36 in such formal or informal proceedings, and no school district [~~or~~],
37 employee, school coach, or school board member or trustee shall take,
38 request or cause a retaliatory action against any such person who,
39 acting reasonably and in good faith, either makes such a report or
40 initiates, testifies, participates or assists in such formal or informal
41 proceedings.

42 § 10. Subdivision 1 and the opening paragraph and paragraphs m and n
43 of subdivision 2 of section 2801 of the education law, as amended by
44 chapter 402 of the laws of 2005, the opening paragraph of subdivision 2
45 as amended by chapter 380 of the laws of 2001, paragraph m of subdivi-
46 sion 2 as amended and paragraph n of subdivision 2 as added by chapter
47 482 of the laws of 2010, are amended and a new paragraph o of subdivi-
48 sion 2 is added to read as follows:

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

51 (i) "School property" means in or within any building, structure,
52 athletic playing field, playground, parking lot, or land contained with-
53 in the real property boundary line of a public elementary or secondary
54 school[~~;~~ ~~or~~], in or on a school bus, as defined in section one hundred
55 forty-two of the vehicle and traffic law[~~;~~ ~~and a school function~~], or
56 within a school administrative building.

1 (ii) "School function" [shall mean] means a school board or trustee
2 meeting or a school-sponsored or school-authorized [~~extra-curricular~~]
3 extra curricular event or activity regardless of where such event or
4 activity takes place, including any event or activity that may take
5 place in another state including but not limited to field trips and
6 athletic practices, scrimmages and events.

7 b. This section shall also apply to cyberbullying, whether on or off
8 school property or at or away from a school function where such conduct
9 constitutes harassment as defined in section eleven of this chapter.

10 The board of education or the trustees, as defined in section two of
11 this chapter, of every school district within the state, however
12 created, and every board of cooperative educational services and county
13 vocational extension board, shall adopt and amend, as appropriate, a
14 code of conduct for the maintenance of order on school property, includ-
15 ing a school function, which shall govern the conduct of students,
16 teachers, coaches, board members and trustees, and other school person-
17 nel as well as visitors and shall provide for the enforcement thereof.
18 Such policy may be adopted by the school board or trustees only after at
19 least one public hearing that provides for the participation of school
20 personnel, parents, students and any other interested parties. Such code
21 of conduct shall include, at a minimum:

22 m. a minimum suspension period for acts that would qualify the pupil
23 to be defined as a violent pupil pursuant to paragraph a of subdivision
24 two-a of section thirty-two hundred fourteen of this chapter, provided
25 that the suspending authority may reduce such period on a case by case
26 basis to be consistent with any other state and federal law; ~~and~~

27 n. provisions to comply with [~~article~~] articles two and two-B of this
28 chapter~~[-]~~; and

29 o. an additional code of conduct for coaches. To assist local educa-
30 tional agencies in developing a code of conduct for coaches, the depart-
31 ment shall develop and maintain a model code in accordance with this
32 section to serve as a guide for local educational agencies. Such model
33 code shall be posted on the department's website and, at a minimum,
34 shall include provisions regarding the program mission, a coach's
35 health, safety and wellness obligations to the students, a coach's obli-
36 gations to parents and spectators, a central summary of mandated creden-
37 tials, training and licenses or certifications applicable to coaches, a
38 communications policy as between coaches and students and parents, and
39 an ethics policy.

40 § 11. Paragraph a of subdivision 2 of section 3006-a of the education
41 law, as added by section 2 of subpart C of part EE of chapter 56 of the
42 laws of 2015, is amended to read as follows:

43 a. (i) During each five-year registration period beginning on or after
44 July first, two thousand sixteen, an applicant for registration shall
45 successfully complete a minimum of one hundred hours of continuing
46 teacher and leader education, as defined by the commissioner, provided
47 that such one hundred hours shall include, at a minimum, five hours of
48 professional development that incorporates the principles and practices
49 of the department's culturally responsive-sustaining framework and is
50 related to dignity for all students and suicide prevention education, in
51 accordance with articles two and two-B of this chapter, that is provided
52 by or in coordination with a teacher or guidance counselor in every
53 school district.

54 (ii) Utilizing funds appropriated for the professional development
55 topics listed in subparagraph (i) of this paragraph, the department
56 shall create and provide model curricula and teaching and professional

1 development resources on its website. The department shall issue rigor-
2 ous standards for courses, programs, and activities, that shall qualify
3 as continuing teacher and leader education pursuant to this section. For
4 purposes of this section, a peer review teacher, or a principal acting
5 as an independent trained evaluator, conducting a classroom observation
6 as part of the teacher evaluation system pursuant to section three thou-
7 sand twelve-d of this article may credit such time towards [~~his or her~~]
8 their continuing teacher and leader effectiveness requirements.
9 § 12. This act shall take effect July 1, 2027.