



Friday, August 1, 2008

Bill Summary - A03496

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A03496 Summary:

BILL NO A03496

SAME AS Same as S 1571

SPONSOR O'Donnell

COSPNSR Glick, Greene, Lifton, Benjamin, Bradley, Fields, McEneny, Clark, Eddington, Paulin, Rosenthal, John, Galef, Hevesi, Espaillat, Englebright, Kavanagh, Powell, Rivera N, Lancman, Peralta, Stirpe, Hoyt, Dinowitz, Jaffee

MLTSPNSR Alfano, Barra, Bing, Boyland, Brennan, Diaz R, Farrell, Gianaris, Gottfried, Jacobs, Jeffries, Kellner, Koon, Lupardo, Markey, Millman, Peoples, Perry, Pheffer, Sweeney, Walker, Weisenberg,

Add Art 2 SS10 - 18, amd SS801-a & 2801, Ed L

Enacts the "Dignity For All Students Act"; authorizes the commissioner of education to establish policies and procedures affording all students in public schools an environment free of harassment and discrimination based on actual or perceived race, national origin, ethnic group, religion, disability, sexual orientation, gender or sex; requires reporting harassment and discrimination to such commission; makes exemptions.

A03496 Actions:

BILL NO A03496

01/26/2007 referred to education
 02/28/2007 reported referred to codes
 03/06/2007 reported
 03/08/2007 advanced to third reading cal.94
 04/16/2007 passed assembly
 04/16/2007 delivered to senate
 04/16/2007 REFERRED TO EDUCATION
 01/09/2008 DIED IN SENATE
 01/09/2008 RETURNED TO ASSEMBLY
 01/09/2008 ordered to third reading cal.296
 02/27/2008 passed assembly
 02/27/2008 delivered to senate

02/27/2008 REFERRED TO EDUCATION

A03496 Votes:

BILL: A03496 DATE: 02/27/2008 MOTION:

YEA/NAY: 130/009

Abbate	Y	Cahill	Y	Errigo	Y	Hooper	Y	Magnare	Y	Pheffer	Y	Spano	Y
Alessi	Y	Calhoun	Y	Espail	Y	Hoyt	Y	Maisel	Y	Powell	Y	Stirpe	Y
Alfano	Y	Camara	Y	Farrell	Y	Hyer-Sp	Y	Markey	Y	Pretlow	Y	Sweeney	Y
Amedore	Y	Canestr	Y	Fields	Y	Jacobs	Y	Mayerso	Y	Quinn	Y	Tedisco	Y
Arroyo	Y	Carrozz	Y	Finch	ER	Jaffee	Y	McDonal	Y	Rabbitt	Y	Thiele	Y
Auberti	ER	Christe	Y	Fitzpat	ER	Jeffrie	Y	McDonou	Y	Raia	Y	Titone	Y
Aubry	Y	Clark	Y	Gabrysz	Y	John	Y	McEneny	Y	Ramos	Y	Titus	Y
Bacalle	Y	Cole	NO	Galef	Y	Kavanag	Y	McKevit	Y	Reilich	NO	Tobacco	Y
Ball	Y	Colton	Y	Gantt	ER	Kellner	Y	Miller	Y	Reilly	Y	Towns	Y
Barclay	ER	Conte	Y	Gianari	Y	Kirwan	NO	Millman	Y	Rive J	Y	Townsen	NO
Barra	Y	Cook	Y	Giglio	Y	Kolb	Y	Molinar	ER	Rive N	Y	Walker	Y
Benedet	Y	Crouch	Y	Glick	Y	Koon	Y	Morelle	Y	Rive PM	Y	Weinste	Y
Benjami	Y	Cusick	Y	Gord D	Y	Lafayet	ER	Nolan	Y	Robinso	Y	Weisenb	Y
Bing	Y	Cymbrow	ER	Gord TP	Y	Lancman	Y	Oaks	Y	Rosenth	Y	Weprin	Y
Boyland	Y	DelMont	Y	Gottfri	Y	Latimer	Y	O`Donne	Y	Saladin	Y	Wright	Y
Boyle	Y	Destito	Y	Greene	Y	Lavine	Y	O`Mara	Y	Sayward	Y	Young	Y
Bradley	Y	Diaz LM	ER	Gunther	Y	Lentol	Y	Ortiz	ER	Scarbor	Y	Zebrows	Y
Brennan	Y	Diaz R	Y	Hawley	NO	Lifton	Y	Parment	Y	Schimmel	Y	Mr Spkr	Y
Brodsky	Y	Dinowit	Y	Hayes	Y	Lope PD	NO	Paulin	Y	Schimmi	Y		
Brook-K	Y	Duprey	Y	Heastie	Y	Lope VJ	ER	Peoples	Y	Schroed	Y		
Burling	NO	Eddingt	Y	Hevesi	Y	Lupardo	Y	Peralta	Y	Scozzaf	Y		
Butler	NO	Englebr	Y	Hikind	NO	Magee	Y	Perry	Y	Seminer	Y		

A03496 Memo:

BILL NUMBER: A3496

TITLE OF BILL : An act to amend the education law, in relation to enacting the dignity for all students act

PURPOSE OR GENERAL IDEA OF BILL :

The purpose of this bill is to afford all persons in public schools an environment free of harassment and discrimination based on actual or perceived race, national origin, ethnic group, religion, disability, sexual orientation, gender, or sex.

SUMMARY OF SPECIFIC PROVISIONS :

Section one of the bill establishes its short title, the dignity for all students act.

Section 2 amends the education law by adding a new article 2 entitled "Dignity for all Students." New article 2 prohibits discrimination and harassment against students, administrators and staff in public schools on the basis of actual or perceived race, national origin, ethnic group, religion, mental or physical disability, sexual

orientation, gender, or sex in any activity occurring on school grounds and any activity conducted by the educational institution or its agents. This bill requires school districts to develop procedures which create a school environment free of discrimination and harassment and to establish guidelines for training school personnel. School districts must also establish guidelines for development of nondiscriminatory instructional and counseling methods and require that at least one member of each school's staff be trained to handle human relations in the areas in which discrimination and harassment are prohibited. The Commissioner of Education is to provide advice, which may include model policies, and direct services, to the extent possible, to help districts prevent discrimination and harassment. The commissioner will also provide grants, from funds appropriated for such purpose, to local school districts to assist them in implementing the guidelines provided for by the bill.

Section 3 amends section 801-a of the education law by requiring sensitivity to the harassment or discrimination prohibited by section 2 of this bill to be incorporated into the civility and character training currently required by section 801-a of the education law.

Section 4 amends section 2801 of the education law by adding a new paragraph n.

Section 5 provides that the bill will take effect 120 days after enactment.

JUSTIFICATION :

All students need a safe, welcoming and affirming environment in school in order to concentrate on their academic and personal growth. They should never have to be preoccupied by the threat or actual occurrence of harassment or discrimination, be it verbal or physical, either from school employees or fellow students. The Dignity for All Students Act promotes civility among students and between students and teachers. It will also help create an atmosphere where learning is paramount and distractions to learning are minimized.

Moreover, the Act provides a response to the large numbers of harassed and stigmatized students skipping school and engaging in high risk behaviors like drug use, alcohol abuse, and perhaps even suicide. No child or teen should ever be pushed to such extremes because of an intolerable environment in his or her school. By prohibiting harassment in public schools and establishing the procedures called for by the bill, the "Dignity for All Students Act" takes a major step in creating more nurturing environments in all our schools.

PRIOR LEGISLATIVE HISTORY :

A.9491/S.1454 (2006), passed Assembly; A.4963/S.1454 (2005) passed Assembly; A 1118/S1925 (2003-04) passed Assembly 2003 and 2004; A.2634-A (2001-02); passed Assembly 2002; A.9244-A/S.5775-A (2000).

FISCAL IMPLICATIONS :

Minimal.

EFFECTIVE DATE :

This act shall take effect 120 days after enactment.