



2018 New York State YMCA

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Committee Assignment: Senate 5

Bill #: S-34

1 **Sponsors:** Nicole Abato, Ananya Chatterjee, Emer Friend

2

3 **An Act To**

4 To amend § 292 of the NYS Human Rights Law to extend protection against
5 discrimination and harassment to New York State public school students.

6

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

9

10 **Purpose**

11 To extend equal protection of fundamental human rights and freedoms to students
12 in a public school environment.

13

14 **Summary of Provisions**

15 **Section 1**

16 Public corporation: A public school, including the public school district. This term
17 applies to any person affiliated with a public school or public school district

18 Board of cooperative educational services: Provides school districts with a program
19 of shared educational services that helps school districts save money by providing
20 opportunities to pool resources and share costs.

21 **Section 2**

22 § 291. Equality of opportunity a civil right. 1. The opportunity to obtain
23 employment without discrimination because of age, race, creed, color, national
24 origin, sexual orientation, military status, sex, marital status, or disability, is hereby
25 recognized as and declared to be a civil right. 2. The opportunity to obtain
26 education, the use of places of public accommodation and the ownership, use and
27 occupancy of housing accommodations and commercial space without
28 discrimination because of age, race, creed, color, national origin, sexual orientation,
29 military status, sex, marital status, or disability, as specified in section two hundred
30 ninety six of this article, is hereby recognized as and declared to be a civil right. 3.
31 The opportunity to obtain medical treatment of an infant prematurely born alive in
32 the course of an abortion shall be the same as the rights of an infant born
33 spontaneously.

34 § 292. Definitions. When used in this article:

35 1. The term "person" includes one or more individuals, partnerships, associations,
36 corporations, including public corporations, legal representatives, trustees, trustees
37 in bankruptcy, or receivers.



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38 **Justification**

39 Discrimination and harassment should not be tolerated under any circumstances.
40 New York State's human rights law is set in place to protect people and institutions
41 against prejudice, however, public schools are excluded from this law due to the
42 fact that they do not fall under any defined categories within the current law. The
43 law currently protects students in private schools, however, it does not protect
44 students attending public schools. This unfair to the ninety percent of New York
45 students who attend public schools. Human rights is a fundamental necessity and
46 should be evenly distributed throughout society. Including the clarification of "public
47 corporations" will provide public schools with the same protection under the human
48 rights law. By extending this law to all students rather than just the minority of
49 students in private schools, the law will protect all students from intolerance of
50 race, sex, religion, and other civil rights. The human rights law exists in New York
51 State to protect its citizens; by clearly stating that this law includes public schools,
52 students can feel safe and protected from injustice. Overall, expanding human
53 rights to public schools promotes a safe and secure environment that embraces the
54 diversity of the student body.

55

56 **Fiscal Implications**

57 The fiscal implications of this bill are minimal. This bill would require compensation
58 for discrimination, however, this would be a case by case issue, and would be the
59 only cost of this bill.

60

61 **Effective Date**

62 This bill will go into effect January 1 of the year following its passage.