

Dignity for All Students Act

Tool for Training School Employees Instructional and Non-Instructional Staff

Please use this as a guide for developing your training process

July 2020



New York State Education Department



New York State Center for School Safety





The Dignity for all Students Act (DASA)

Please use this training tool to understand:

What is DASA?

Definitions of Key Terms

Reporting Requirements

Responding to Incidents

Resources and Contact Information





The Dignity for all Students Act (DASA)

Please use this training tool to understand:

- What is your school DASA policy?
- Who is your DASA Coordinator?
- Where is your DASA complaint form posted?
- Can a DASA complaint be made anonymously?





The Dignity for all Students Act (DASA)

*Please
pause to
discuss...*





What is DASA?

The Dignity for All Students Act (DASA) was established to protect all students from harassment, bullying and discrimination.

DASA became effective on July 1, 2012 and was amended to include cyberbullying effective July 1, 2013.





Legislative Intent of DASA

“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 discrimination or harassment including bullying, taunting or intimidation.”

Ed. Law Article 2 Section 10





Legislative Intent of DASA *(continued)*

“It is hereby declared to be the policy of the state to afford all students in public schools an environment free of discrimination and harassment.

The purpose of this article is to foster civility in public schools and to prevent and prohibit conduct which is inconsistent with a school’s educational mission.”

Ed. Law Article 2 Section 10

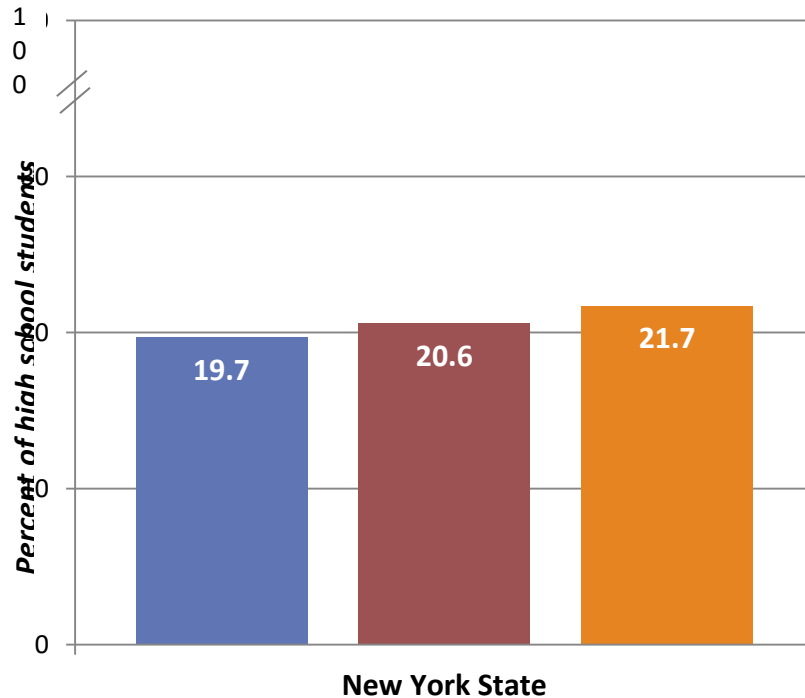




Are students in NY experiencing bullying?

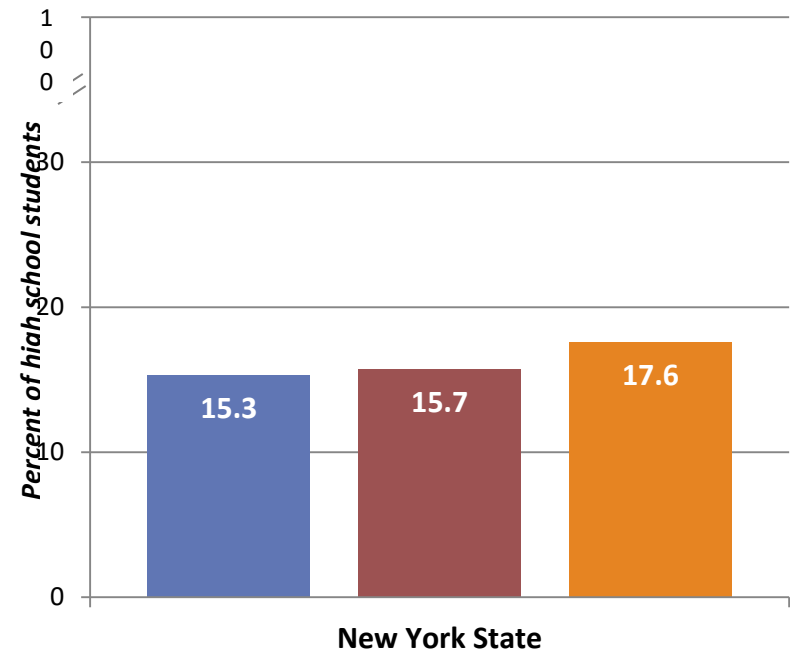
Have you been bullied on school property?
(during the past 12 months)

■ 2013 ■ 2015 ■ 2017



Have you been electronically bullied?
(counting being bullied through texting, Instagram, Facebook, or other social media, during the past 12 months)

■ 2013 ■ 2015 ■ 2017



Source: CDC Youth Risk Behavior Survey



New York State Education Department

- 8 -



New York State Center for School Safety





What are examples of Bullying?

Verbal

Physical

Relational/Social Bullying

Cyberbullying

Source: StopBullying.gov





What are examples of Bullying?

Please pause
to consider
examples of
the different
forms of
bullying

Verbal

Physical

Relational/Social Bullying

Cyberbullying

Source: StopBullying.gov





Definitions

Harassment or bullying means the creation of a hostile environment **by conduct or by threats, intimidation or abuse**, including cyberbullying that either:

Source: CR 100.2(jj) (1) (viii) Dignity Act Coordinator and School Employee Training Program





Definitions

Harassment, bullying, or cyberbullying

- a) has or would have the effect of unreasonably and substantially **interfering with a student's educational performance, opportunities or benefits, and/or mental, emotional and/or physical well-being;** including conduct, threats, intimidation or abuse that reasonably causes or would reasonably be expected to cause **emotional harm;** or

Source: CR 100.2(jj) (1) (viii) Dignity Act Coordinator and School Employee Training Program





Definitions

Harassment, bullying, or cyberbullying

- b) reasonably causes or would reasonably be expected to cause **physical injury** to a student **or to cause a student to fear** for his or her physical safety;

Source: CR 100.2(jj) (1) (viii) Dignity Act Coordinator and School Employee Training Program





Definitions

Threats, intimidation or abuse shall include verbal and non-verbal actions.

Emotional harm that takes place in the context of harassment, bullying, or cyberbullying means harm to a student's emotional well-being through creation of a hostile school environment that is so severe or pervasive as to unreasonably and substantially **interfere with a student's education.**

Source: CR 100.2(jj) (1) (viii) Dignity Act Coordinator and School Employee Training Program





Definitions

Harassment, bullying, or cyberbullying

Acts of harassment, bullying, or cyberbullying can occur:

- on school property
- at a school function
- off school property
where such acts create 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

Source: CR 100.2(jj) (1) (viii) Dignity Act Coordinator and School Employee Training Program





Definitions

Cyberbullying occurs when harassment or bullying happens through any form of electronic communication.





Definitions

Cyberbullying occurs when harassment or bullying happens through any form of electronic communication.

Please pause and discuss different forms of electronic communication including social media





Definitions

Material Incident

Material incident of harassment, bullying, and/or discrimination

a **single** verified incident or a **series** of related verified incidents where a **student** is subjected to harassment, bullying and/or discrimination by a student and/or employee

Source: CR 100.2(kk) Dignity Act Reporting Requirements





Dignity for All Students Act (DASA)

Prohibits bullying, harassment, discrimination, or cyberbullying
Includes, but is not limited to, those acts based on a person's actual or perceived:

- Race
- Color
- Weight
- National origin
- Ethnic group
- Religion
- Religious practice
- Disability
- Sexual orientation,
- Gender (**including gender identity and expression**)
- Sex

Source: CR 100.2 (kk) Dignity Act reporting requirements.





Dignity for All Students Act (DASA)

Amendment Effective May 2018

Effective May 2018

The Board of Regents amended CR §100.2(kk)

Dignity Act Reporting Requirements

to include **illustrative examples** of the types of incidents of harassment, bullying and/or discrimination which must be reported and investigated as possible violations of DASA.





Dignity for All Students Act (DASA)

Amendment Effective May 2018 (*continued*)

Illustrative Examples:

A report of harassment, bullying, and/or discrimination may include, but is not limited to, the following examples:

- a) a report regarding the **denial of access to school facilities, functions, opportunities or programs including, but not limited to, restrooms, changing rooms, locker rooms, and/or field trips, or**
- b) a report regarding **application of a dress code, specific grooming or appearance standards, or**
- c) a report regarding the **use of name(s) and pronoun(s) or the pronunciation of name(s), or**
- d) a report regarding **any other form of harassment, bullying and/or discrimination,**

based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (which includes gender identity and/or expression), or sex.





Dignity for All Students Act (DASA) Amendment to Education Law

Effective July 2019

Section 11 of Education Law was amended to read:

"Race" shall, for the purposes of this article include traits historically associated with race, including but not limited to, hair texture and protective hairstyles.

"Protective hairstyles" shall include, but not be limited to, such hairstyles as braids, locks, and twists.

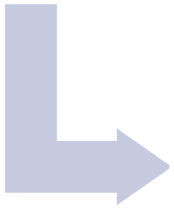




DASA Requirement:

Staff Reporting of Incidents/Complaints

**Staff witness
an incident
and/or receive
a complaint**



**Required to orally report the
incident(s) within one (1) school day
to the principal, superintendent or
his/her designee**



**Report it in writing within two (2)
school days after making an oral
report.**

Source: CR 100.2(kk)(2) Dignity Act Reporting Requirements

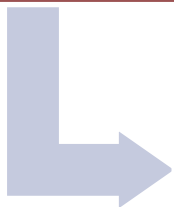




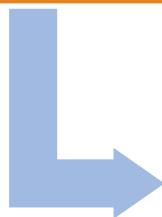
DASA Requirement:

Staff Reporting of Incidents/Complaints

**Staff witness
an incident
and/or receive
a complaint**



**Required to orally report the
incident(s) within one (1) school day
to the principal, superintendent or
his/her designee**



**Report it in writing within two (2)
school days after making an oral
report.**

*Please pause to
discuss:*

*Who is your Dignity
Act Coordinator?*

*Who do you report
incidents to?*

*Does your school
have a form?*

Source: CR 100.2(kk)(2) Dignity Act Reporting Requirements





DASA Requirement: Receiving Incidents/Complaints

Complaint Received

DASA Incident Reporting Form
should be easily accessible to
parents, students, and staff on the
school/district website.

All school employees, students, and
parents must receive a copy of the
reporting process at least annually.

Sample Form

SAMPLE Dignity for All Students Act (DASA)
Responding to Incidents
Bullying, Harassment and Discrimination – For District/School Files Only

PART 1. SAMPLE DASA COMPLAINT FORM

A DASA complaint form must be posted on the District website and communicated to parents and students on an annual basis.

To be completed by person reporting the incident (or the person receiving the complaint and/or investigating the incident and submitted to the Dignity Act Coordinator (DAC).

School District: _____ School: _____
Dignity Act Coordinator: _____ Today's date: _____
Name and position of person reporting the incident: _____

Role of person reporting incident (Check one): ☐ Anonymous report
☐ Student Target ☐ Student (witness) ☐ Parent/Guardian ☐ Staff Member ☐ Other _____
Phone: _____ Email: _____

Name of target: (student being bullied, harassed, or discriminated against) _____

Name(s) of alleged offender(s): _____

Date and time of incident: _____

What was your involvement in the incident?
☐ I was directly involved in the incident. ☐ I observed the incident. ☐ I heard about the incident.

Where did the incident happen? (Check all that apply)

<input type="checkbox"/> On school property	<input type="checkbox"/> Cafeteria	<input type="checkbox"/> On a school bus	<input type="checkbox"/> Hallway	<input type="checkbox"/> Bathroom
<input type="checkbox"/> Classroom	<input type="checkbox"/> Gym	<input type="checkbox"/> Off school property	<input type="checkbox"/> Locker Room	<input type="checkbox"/> At a school function
<input type="checkbox"/> Electronic Communication: _____ Other (describe): _____				

Type of incident (Check all that apply)

<input type="checkbox"/> Physical contact (kicking, punching, spitting, tripping, pushing, taking belongings)
<input type="checkbox"/> Verbal threats (gossip, name-calling, put-downs, teasing, being mean, taunting, making threats)
<input type="checkbox"/> Psychological (non-verbal actions, spreading rumors, social exclusion, intimidation)
<input type="checkbox"/> Abuse (actions or statements that put an individual in fear of bodily harm)
<input type="checkbox"/> Cyberbullying (misusing technology/social media to harass, tease, threaten, post pictures (sexting))
<input type="checkbox"/> Other (describe): _____

SAMPLE DASA Responding to Incidents
PART 1: SAMPLE DASA Complaint Form Adopted from the August 2013, 2015 NYSED and DAS memorandums

Click image
for link

Source: ATTACHMENT 1 DIGNITY FOR ALL STUDENTS ACT
GUIDANCE ON INVESTIGATING, RESPONDING, AND REPORTING
Joint Guidance NY Attorney General and NYSED August 2016





DASA Requirement: Receiving Incidents/Complaints

Complaint Received

DASA Incident Reporting Form
should be easily accessible to
parents, students, and staff on the
school/district website.

All school employees, students, and
parents must receive a copy of the
reporting process at least annually.

Sample Form

SAMPLE Dignity Form
Reporting Bullying, Harassment, or Discrimination

PART I
A DASA complaint form must be posted annually.
To be completed by person reporting incident and submitted to:

School District:
Dignity Act Coordinator:
Name and position of:
Role of person reporting:
☐ Student Target
Phone: _____
Name of target: _____
Name(s) of alleged perpetrator(s): _____
Date and time of incident: _____
What was your involvement?
☐ I was directly involved
Where did the incident occur?
☐ On school property
☐ Classroom
☐ Electronic Communication
Type of incident (Check all that apply):
☐ Physical contact (kicking, punching, etc.)
☐ Verbal threats (gossip, name-calling, etc.)
☐ Psychological (non-verbal actions, etc.)
☐ Abuse (actions or statements)
☐ Cyberbullying (misusing technology)
☐ Other (describe): _____

SAMPLE DASA Reporting to Incidents
PART I: SAMPLE DASA Complaint Form (Adapted from Dignity for All Students Act, 2012 NYSED and DAS memorandum)

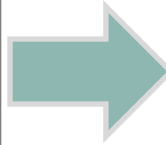
Source: ATTACHMENT 1 DIGNITY FOR ALL STUDENTS ACT
GUIDANCE ON INVESTIGATING, RESPONDING, AND REPORTING
Joint Guidance NY Attorney General and NYSED August 2016





Responding to Incidents: Dignity Act Coordinator Responsibility

Complaint
Received



THOROUGH INVESTIGATION





Dignity for All Students Act

DASA prohibits retaliation against any individual who **reports** or **assists in the investigation** of harassment, bullying, cyberbullying or discrimination.

Source: CR 100.2(kk) (3) Dignity Act reporting requirements





Do you know....

- What is your school DASA policy?
- Who is your DASA Coordinator?
- Where is your DASA complaint form posted?
- Can a DASA complaint be made anonymously?





Do you know....

*Please
pause to
discuss*

- What is your school DASA policy?
- Who is your DASA Coordinator?
- Where is your DASA complaint form posted?
- Can a DASA complaint be made anonymously?





Do you know....

What should you do if you witness harassment, bullying, and/or discrimination?

What should you do if you receive an oral or written report of harassment, bullying, and/or discrimination?





Do you know....

*Please
pause to
discuss*

What should you do if you witness harassment, bullying, and/or discrimination?

What should you do if you receive an oral or written report of harassment, bullying, and/or discrimination?





Additional Considerations During the Pandemic

Please
pause
to
discuss

Has the process for contacting your DASA Coordinator changed?

How can your students contact the DASA Coordinator while learning remotely?

Are your students aware of what supports are available if they are the target of bullying, harassment, discrimination, or cyberbullying while learning remotely?

Has your school/district modified the Code of Conduct to address on-line learning?

Other considerations:





Prevention... Starts Long Before an Incident Occurs



Presented by Assistant Commissioner Renee Rider at the June 12, 2017 Board of Regents meeting, Slide 40





How can DASA Implementation Prevent Incidents?

DASA Legislation

- Require the school ... to take prompt actions reasonably calculated to ... **create a more positive school culture and climate** ...
- Include a **school strategy to prevent** harassment, bullying and discrimination

NYS Law Article 2 Chapter 13 1 (e) (g) https://www.lawserver.com/law/state/new-york/ny-laws/new_york_laws_education_title_1_article_2





Resources

Dignity for All Students Act: <http://www.p12.nysed.gov/dignityact/>

StopBullying.gov

Cyberbullying.org

Pacer's National Bullying Prevention Center:

<http://www.pacer.org/bullying/resources/questions-answered/conflict-vs-bullying.asp>

Centers for Disease Control and Prevention:

<https://www.cdc.gov/violenceprevention/youthviolence/bullyingresearch/index.html>





Contact Information

NYSED Office of Student Support Services

SSEC@nysed.gov

<http://www.p12.nysed.gov/ss/>

518-486-6090

New York State Center for School Safety

844-897-9567

www.nyscfss.org

Thank you for your thoughtful participation!

