

THE DIGNITY FOR ALL STUDENTS ACT (DASA)

What is the Dignity Act?

- DASA was established with the broad legislative intent to provide a school environment free of discrimination and harassment.
- It was signed into law on September 13, 2010.
- DASA became effective on July 1, 2012.
- DASA protects all public elementary and secondary school students.
- DASA applies to behavior on school property, in school buildings, on a school bus/vehicle, as well as at school sponsored events or activities.

How does DASA relate to bullying and hazing?

- DASA prohibits the harassment and discrimination of students by students and by school personnel.
- Bullying and hazing are forms of harassment and discrimination.

Definitions

- **Harassment** is defined as the creation of a hostile environment by conduct or by verbal threats, intimidation or abuse that has or would have the effect of unreasonably and substantially interfering with a student's education performance, opportunities or benefits, or mental, emotional or physical well-being, or conduct, verbal threats, intimidation, abuse that reasonably causes or would case reasonably be expected to cause a student to fear for his or her physical safety.
- **Discrimination** is the act of denying rights, benefits, justice, equitable treatment or access to facilities available to all others, to an individual or group of people because of the group, class or category to which that person belongs.

Definitions

- **Bullying** is understood to be a hostile activity which harms or induces fear through the threat of further aggression and /or creates terror. Bullying may be premeditated or a sudden activity. It may be subtle or easy to identify, done by one person or a group. Bullying often included the following characteristics;
- 1) Power imbalance- occurs when a bully uses his/her physical or social power over a target.
- 2) Intent to Harm- the bully seeks to inflict physical or emotional harm and /or take pleasure in this activity.
- 3) Threat of further aggression – the bully and the target believe the bullying will continue.
- 4) Terror – when any bullying increases, it becomes a “systematic violence or harassment used to intimidate and maintain dominance”.

DASA prohibits...

harassment with respect to certain non-exclusive protected classes including but not limited to:

- actual or perceived race
- color
- weight
- national origin
- religion and/or religious practice
- disability
- sexual orientation
- gender identity
- sex

Conflict vs. Harassment

Conflict

- when a child does not want to play with another child and is respectful in sharing his/her feelings
- engagement in a disagreement based on “equal power”
- remorse is felt afterwards
- behavior is modified
- demonstration of ability to self-monitor
- equal footing

Harassment

- imbalance of power
- physical size imbalance
- remorse is not shown
- “bully” feeds on own behavior
- pattern of behavior is usually established

Board of Education Responsibilities

- Develop policies and update code of conduct to include harassment and discrimination.
- Include in student handbooks a plain language summary of code of conduct that is age-appropriate.
- Post code of conduct on district website.
- Approve the appointment of two DASA coordinators in each building.
- Develop guidelines for training all district employees.
- Develop a policy that addresses harassment prevention.

Dignity Act and Student Instruction

- DASA requires districts and schools to prevent, monitor, and address bullying through:
 - sensitivity and tolerance curricula for students K - 12, as well as instruction in the following areas:
 - civility
 - citizenship
 - character
 - honesty
 - tolerance
 - personal responsibility
 - respect for others
 - dignity for all

Instruction that...

- supports development of a school environment free of discrimination and harassment
- raises awareness and sensitivity to discrimination or harassment
- shall be provided as part of a component of civility, citizenship and character education

Dignity Act Reporting Basics

- The method through which schools compile and maintain Dignity Act-related data throughout the school year is a *local* decision.
- The annual Dignity Act reporting will be performed using a standardized on-line format provided by NYSED.

Reporting

- Acts of bullying will be reported to the New York State Education Department annually through a defined reporting system.
 - **“Report of Incidents Concerning School Safety and the Educational Climate”** has been developed as follows:
 - Part 1 (VADIR) is the report of violent and disruptive incidents
 - Part 2 (Dignity Act) is the report of material incidents of discrimination and/or harassment.

Reporting

- The annual report for the 2013-14 school year will be due to the State Education Department following the conclusion of the school year.
 - **Reports will be accepted from: August 19, 2014 to September 27, 2014.**

The material incidents of discrimination and/or harassment that are reported:

- are the result of the investigation of a written or oral complaint made to the school principal or other school administrator responsible for school discipline, or to any other school employee; or
- are otherwise directly observed by such principal or administrator, or by any other school employee regardless of whether a complaint is made.

Defining a material incident of discrimination and/or harassment:

- **A single incident or a series of related incidents where a student is subjected to discrimination and/or harassment by a student and/or employee on school property or at a school function that creates a hostile environment by conduct, with or without physical contact and/or by verbal threats, intimidation or abuse, of such severe or pervasive nature that:**

Defining a material incident of discrimination and/or harassment:

- has or would have the effect of unreasonably and substantially interfering with a student's educational performance, opportunities or benefits, or mental, emotional and/or physical well-being; or
- reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety.

**REPORT OF INCIDENTS CONCERNING SCHOOL SAFETY
AND THE EDUCATIONAL CLIMATE
July 1, 2012 through June 30, 2013**

School Name: _____

**Do NOT send this
paper form to SED**

BEDS Code (12 digits): _____

This paper form must be used only for the local gathering of data. Data represented in this form are required to be submitted to SED via the online BEDS IMF application. Your district's BEDS coordinator or superintendent will have details and protocol for entering data.

PART 2: DIGNITY FOR ALL STUDENTS ACT (DIGNITY ACT)

Report all material incidents of discrimination and/or harassment, even if they occurred in combination with other incidents reported under the VADIR categories above. If a material incident involves more than one category of discrimination and/or harassment, include all counts in all categories that apply. Category definitions are summarized in this document and detailed in the *Glossary Of Terms Used In Reporting Incidents Concerning School Safety And The Educational Climate*. For additional information on the Dignity for All Students Act (including definitions, instructions and Q&A documents), please consult the resource documents located at <http://www.p12.nysed.gov/dignityact/>.

1. Material Incidents of Discrimination and/or Harassment:

Incident Types	Nature of Material Incidents of Discrimination and/or Harassment (Duplicated counts. Incidents must be counted more than once if they involve more than one category)												
	Race (a)	Ethnic Group (b)	National Origin (c)	Color (d)	Religion (e)	Religious Practice (f)	Disability (g)	Gender (h)	Sexual Orientation (i)	Sex (j)	Weight (k)	Other (l)	Total (m) ¹
1 Total number of incidents ²													
2.a Incidents occurring on school property													
2.b Incidents occurring at school-sponsored function off school grounds													
3.a Incidents involving intimidation or abuse but no verbal threat or physical contact													
3.b Incidents involving verbal threat but no physical contact													
3.b Incidents involving physical contact but no verbal threat													
3.d Incidents involving both verbal threat and physical contact													
4.a Incidents involving only student offenders													
4.b Incidents involving only employee offenders													
4.c Incidents involving both student and employee offenders													

¹ For each incident type: (m) = (a) + (b) + (c) + (d) + (e) + (f) + (g) + (h) + (i) + (j) + (k) + (l)

² For each category of discrimination/harassment: $1 = 2.a + 2.b$ and $1 = 3.a + 3.b + 3.c + 3.d$ and $1 = 4.a + 4.b + 4.c$

Protection of people who report discrimination and/or harassment:

- **No school district, BOCES or charter school, or an employee thereof, shall take, request or cause a retaliatory action against any such person who, acting reasonably and in good faith, either makes such a report or initiates, testifies, participates or assists in such formal or informal proceedings.**

Steps to Compliance

- BOCES DASA Coordinators Training (2 people per building must be trained)
- Develop training plan for all employees, students, and parents (www.capsli.org, BOCES Dignity Act Package)
- Review existing curriculum to meet DASA instructional mandates
- Review mandated reporting system

Corrective Action – July 2013

- Principal, superintendent or designee upon verifying a material incident of harassment/bullying and/or discrimination shall take prompt action designed to end such behavior and eliminate hostile environment, create a more positive climate, prevent reoccurrence and ensure safety of the target(s).

Reporting Requirements-July 2013

- Principal, superintendent, or designee shall promptly notify local law enforcement if it is believed that harassment/bullying and/or discrimination constitutes criminal conduct.
- Principal shall report to the superintendent a minimum of once yearly, on data related to harassment/bullying and/or discrimination.

Discipline Procedures

- DASA required the development of measured, balanced and age appropriate responses to the discrimination and harassment of students by students and/or employees on school property.
- Remedies and procedures need to focus on intervention and education.
- Remedial responses should be designed to correct the problem behavior, prevent another occurrence and protect the target of the act or acts.

Reporting Requirements—July 2013

- *Any school employee* who witnesses harassment/bullying and/or discrimination or receives an oral or written report of such acts, shall orally notify the principal, superintendent or designee within one school day and file a written report within two school days after notification.

Investigative Requirement-July 2013

- Principal, superintendent or designee shall supervise the investigation of reports of harassment/bullying and/or discrimination and ensure such investigation is completed promptly.

Links

- www.p12.nysed.gov/dignityact
- www.nyscenterforschoolsafety.org
- www.bullyinginterventionexperts.com

R E S O U R C E G U I D E

If we could end hatred,

Imagine

what more we could do...



NO place
for
HATE
Anti-Defamation League