

Dignity for All Students Act - Effective: July 1, 2012

Summary of Provisions and Requirements

Intent: [The Dignity for All Students Act](#) amends Education Law to put in place procedures for the creation of school environments free of discrimination and harassment. The law is effective July 1, 2012.

Definition:

- **Harassment** – 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 educational performance, opportunities or benefits, or mental, emotional or physical well being. It also includes conduct, verbal threats, intimidation or abuse that reasonably cause or would reasonably be expected to cause a student to fear for his or her physical safety.

Prohibitions: On school property and at school functions, **the prohibits:**

1. Student Harassment by school employees or students on school property or at a school function. This prohibition extends to cyberbullying: verbal or written threats through an internet service such as e-mail, chat room, discussion group, instant messaging, or social networking sites on or off school property.
2. Student Discrimination by school employees or students based on a person’s actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex.

Reporting Discrimination or Harassment:

- Any person having reasonable cause to suspect that a student has been subjected to discrimination or harassment, who acts reasonably and in good faith in reporting such information or initiates informal or formal proceedings, has immunity from any civil liability that may arise. No school district or employee may take, request or cause retaliatory action against a person who, acting reasonably and in good faith makes a report or initiates informal or formal proceedings.

Requirements Set for School Districts:

1. Develop policies intended to create a school environment that is free from discrimination and harassment.
2. Include in the school district’s code of conduct an age-appropriate version of the policy, written in plain language.
3. Develop guidelines to be used in school training programs to discourage discrimination or harassment. The guidelines must be designed to:
 - a. Raise the awareness and sensitivity of school employees to potential discrimination or harassment.
 - b. Enable employees to prevent and respond to discrimination or harassment.
 - c. Support the development of nondiscriminatory instructional and counseling methods.
4. At least one member of each school’s staff must be trained to handle human relations in the areas in which discrimination and harassment are prohibited.

Requirements Set for the State Education Department:

1. Promulgate regulations to assist school district in implementing the Dignity for All Students Act, including the local level development of measured, balanced and age appropriate responses to violations of the policy; with remedies and procedures focusing on intervention and education.
2. Provide direction to school districts, which may include model policies.
3. To the extent possible, direct services to school districts related to preventing discrimination and harassment and to fostering school environments where all children can learn free of bias.
4. Provide grants to school districts to assist in implementing the guidelines
5. Modify the existing uniform violent incident reporting system or establish a procedure for school districts to annually report to the State Education Department material incidents of discrimination and harassment.
6. Ensure that the course of instruction in grades kindergarten through twelve includes a component on civility, citizenship and character education.