ARDSLEY SCHOOL DISTRICT

Guide to the Dignity for All Students Act (DASA)

What is DASA?

The Dignity for All Students Act (DASA) was passed in 2012. It provides a framework for how schools respond to behaviors such as bullying, harassment, intimidation, or discrimination. DASA outlines processes and procedures that school districts must adhere to for reporting and investigation. It requires staff training on prevention and intervention, and identifies related communications for notifying parents and students about DASA-related topics. DASA calls for the protection of students from harassment, bullying (including cyberbullying), or discrimination by employees or other students. According to the New York State Education Department, the aim of DASA is not to increase punishment, but rather to foster social interaction among students as a way to maintain a safe learning environment that results in less bullying, an increased ability to identify individual students who are being bullied, and an instilled responsibility to inform the necessary authorities when a peer is a victim of bullying, harassment, or discrimination.

Who is protected by DASA?

DASA specifies that students should not be subject to discrimination, bullying, or harassment, either actual or perceived, based on, but not limited to, the following:

- Race
- Color
- Ethnic Group
- National Origin
- Disability
- Religious Practice
- Religion
- Weight
- Sexual Orientation
- Gender / Sex

What constitutes a DASA-level incident?

An incident can be either a single or series of related **verifiable** occurrences. The incident must meet the parameters of the definition above. Not all misbehavior that takes place in school settings falls under the umbrella of DASA. The behavior in question may be accidental, for example, involving no real intent to harm. Or the incident may be a reflection of the student's immaturity, rather than of any malicious intent. These behaviors are no less serious than actual bullying, however, they do require different prevention and response strategies. DASA coordinators are trained to identify whether a particular behavior or situation constitutes a DASA-level incident. If negative behavior is determined not to meet the requirements of the DASA law, that does not mean those behaviors will be tolerated. Negative or hurtful behaviors that fall under DASA and those that do not may be serious and require intervention.

What Should I Do if I Think My Child is a Victim of a DASA-Level Incident?

If you think your child is being harassed, bullied, or discriminated against, speak with your child immediately. If your child indicates that they have been victimized, find out important details such as when, where, why, how, by whom, etc. Based on their responses, if you believe that your child may be a victim, report it to your student's teacher, principal, or a DASA coordinator immediately. Students should also be encouraged to directly report incidents of bullying, harassment, and discrimination if they are a victim or witness to such behavior. Students and parents can report a suspected incident either verbally or in writing to teachers or principals (who will notify a DASA coordinator) or they may notify a DASA coordinator directly. Although it is not necessary for parents and/or students to complete an official DASA Reporting.

Who Are the DASA Coordinators?

At least one employee in each of our school buildings is designated as a DASA coordinator. The coordinators, who are trained in accordance with the New York State Education Department (NYSED), are charged with investigating reports of harassment, bullying, or discrimination in their respective buildings. Contact information for each DASA coordinator can be found in each school's Code of Conduct, which is posted on the Ardsley School District website. Each DASA coordinator is trained to handle human relations and the social patterns of harassment, bullying, and discrimination. Approved by the Board of Education, they are a valuable resource for parents or children dealing with a DASA-level situation. The DASA coordinators are supported by the District DASA Coordinator, who is also the Assistant Superintendent for Curriculum and Instruction. With regard to reports which may have violated a student's Civil Rights or which may rise to the level of sexual harassment or assault, the District DASA Coordinator will conduct the investigation.

How Does the Process of Reporting a DASA Complaint Work?

The District encourages and expects students, parents, and staff who have observed, been subjected to, or been informed of harassment, bullying, or discrimination to report the incident(s) in a timely manner. School employees who witness or receive an oral or written report of harassment, bullying, or discrimination should:

- Notify the DASA coordinator, school administrator, or teacher verbally no later than one school day after witnessing/receiving a report;
- File a written report with the DASA coordinator or school administrator no later than two school days after receiving the initial report (If you have followed this procedure and talked with the designated school personnel at your child's school and are not getting any help, then you are encouraged to take your concerns to the District DASA Coordinator.
- Upon notification of a DASA complaint, the DASA Coordinator may lead or supervise a thorough and timely investigation. Both the accused and the complainants, along with any witnesses, will be interviewed.
- When necessary, the District will take immediate steps to protect complainants pending the final outcome of an investigation and to put solutions in place with the goal of preventing further bullying, harassment, intimidation or discrimination.
- While there is no legal timeline as to how long any one investigation should take to complete, we believe it is in the best interest of all parties that an investigation be prompt, thorough, and accurate.
- Notification of Outcome: Both the complainants and the accused will receive a report outlining the outcome of the investigation, including a description of the alleged incident, an overview of the investigative process, and any action taken.
- If disciplinary action is taken against the accused, specifics may not be shared with the complainant or community at large. New York State Education Law protects the confidentiality of all students, including those found guilty of wrongdoing.
- If the investigation reveals that harassment, bullying, or discrimination has occurred, the District will take prompt action with a view towards ending it, eliminating any hostile environment, creating a

more positive school culture and climate, preventing recurrence of the behavior, and attending to the safety of the student(s) against whom the harassment, bullying, or discrimination was directed.
- Discipline will be consistent with the Code of Conduct and include a measured, balanced, and age-appropriate response that makes appropriate use of prevention, education, intervention, and discipline. Consideration will be given to the nature and severity of the behavior, the developmental age of the offending student, and their history of problem behaviors.

What happens when the District receives a DASA Complaint?
- Within one school day, staff receiving a complaint verbally notifies a DASA coordinator.
- Within two school days, staff receiving a complaint notifies a DASA coordinator in writing.
- If necessary, steps are taken to protect complainants pending the investigation's final outcome.
- District and School level DASA Coordinators conduct/supervise a prompt and thorough investigation, which includes interviewing complainant, accused, and any witnesses. (DASA coordinators or other designees may also conduct investigations.)
- Both the complainants and the accused receive a report outlining the outcome of the investigation, including a description of the alleged incident, an overview of the investigative process, and any action taken.

What happens if there is disagreement with the outcome of the investigation?
Either the complainant or the accused may appeal the findings of an investigation, in writing, within 10 days of receipt of the decision. Appeals should be directed to the superintendent. The superintendent will review the report and the findings and respond to the appeal in writing. In-person meetings with the parties involved are generally not part of the appeals process, unless the superintendent believes clarity or depth is needed, based on the report. There is no specific timeline for the superintendent to respond. If the superintendent may uphold the findings, overturn the findings, call for a new investigation, or require that the investigation and findings be revisited. The Superintendent's findings may be appealed to the Commissioner of Education within 30 days of receipt of the decision.

What happens if the investigation report verifies that harassment, bullying, or discrimination occurred?
If investigation verifies that harassment, bullying, or discrimination occurred, the District will take prompt action with a view towards ending negative behavior, eliminating any hostile environment, creating a more positive school culture and climate, preventing recurrence, and ensuring the safety of the victims.

Discipline may be applied in the form of a measured, balanced, and age-appropriate response consistent with the Code of Conduct. Consideration is given to the nature and severity of the behavior, the developmental age of the offending student, and the student's history of problem behaviors. Specific disciplinary action is not shared, as laws ensuring confidentiality protect all students.

What happens to the investigation report?
While investigation reports are kept on file in the school office, DASA investigations are private, and the documents associated with the report will not be shared publicly. Additionally, DASA reports do not become a part of any students' permanent records. They will not be shared with colleges or private schools or other outside educational institutions.

Why can it be challenging to determine whether or not bullying occurred?

It is not always easy to determine whether a behavior is bullying. For instance, not everyone is always going to like one another, and it is natural for students to include their friends and exclude others when playing. Although unpleasant, in most cases this is not bullying. Anyone uncertain of whether or not a behavior is bullying can consult a DASA coordinator. Types of bullying include:

- VERBAL BULLYING: Name calling, teasing, sexual comments, taunting, and threatening to cause harm.
- SOCIAL BULLYING: Spreading rumors about someone, excluding others on purpose, telling other children not to be friends with someone, and embarrassing someone in public.
- PHYSICAL BULLYING: Hitting, punching, shoving, kicking, pinching, spitting, tripping, pushing, taking or breaking someone's property, and making mean or rude hand gestures.
- EMOTIONAL BULLYING: Cruelly and deliberately attempting to hurt or humiliate someone, including teasing, spreading rumors, and excluding from activities.
- CYBERBULLYING: Using digital devices like cell phones, computers, and tablets to send, post, or share negative, harmful, false, or mean content about someone else causing embarrassment or humiliation.
- MICROAGGRESSIONS: Subtly and often unconsciously or unintentionally expressing a prejudiced attitude (via a comment or action) toward a member of a marginalized group.

Characteristics of Bullying Behavior: Persistent • Repeated • Targets specific individual(s) • Intended to cause fear or harm (physically or emotionally) • Intended to hurt feelings • Reduces self-esteem or damages reputation.