
DIGNITY FOR ALL STUDENTS ACT



[HTTP://WWW.P12.NYSED.GOV/DIGNITYACT/](http://www.p12.nysed.gov/dignityact/)

A Little History...



Law	Description
TITLE VII of the CIVIL RIGHTS ACT of 1964	Makes it illegal to discriminate on the basis of race, color, religion, sex or national origin
TITLE IX of the EDUCATION AMENDMENTS of 1972	No federal money can be used to support sex discrimination in education programs
The Civil Rights Act of 1991 - Amendment to Title VII	Allows jury trials with compensatory and punitive damages for intentional discrimination findings

Current Laws (cont.)



Law	Description
NYS DIGNITY FOR ALL STUDENTS ACT -Effective July 2012	Requires districts to prevent, monitor, and address discrimination or harassment including bullying, taunting or intimidation
AMENDMENT to DASA -Effective July 2013	-Instruction in Civility -Changes to Code of Conduct *(include cyberbullying) -Reporting Requirements
SED Guidance Document -Effective July 2015	Guidance for creating a safe and supportive school environment for Transgender and Gender Nonconforming Students (GNC)

What does DASA require?



- ❑ Designation of a Dignity Act Coordinator
- ❑ Staff training
- ❑ Sensitivity and tolerance curricula for students
- ❑ Duty of Staff to Report Bullying incidents
- ❑ Amending Code of Conduct (all languages)
- ❑ Posting of Code of Conduct on school web site
- ❑ Complaint investigation procedures
- ❑ School Professionals Applying for Certification to complete 6 hours of Training

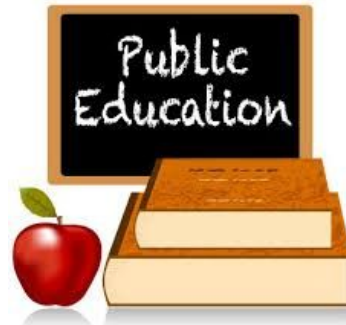
What does DASA require? (cont.)

- ❑ Addressing behavior that occurs off school grounds that creates a risk of disruption within the school environment
- ❑ District provided written or electronic copy of the policies every year to employees, students and parents
- ❑ Posting district policies on harassment, bullying and discrimination on the district website



The Commissioner's Job:

- ❑ Provide model policies and direct services (when possible)
- ❑ Provide grants to assist with implementation
- ❑ Ensure regulations are aligned to support districts
- ❑ Create a procedure for reporting incidents to the state annually
- ❑ Conduct research to determine compliance



Purpose of DASA

- ❑ To afford all public school students an environment free of discrimination and harassment
- ❑ To foster civility in public schools
- ❑ To prevent and prohibit conduct which is inconsistent with a school's educational mission



Who is Protected?

- Race
- Color
- Weight (size)
- National origin
- Ethnic group
- Religion
- Religious practice
- Disability
- Sex or sexual orientation
- Gender
- Gender Identity (July 2015)



However...

DASA is intended to protect every student from harm, harassment, discrimination, bullying and cyberbullying regardless of whether a student is a member of a specific category



Harassment, Bullying & Discrimination

- **DASA prohibits harassment of students by employees or students**
 - ❑ On school grounds
 - ❑ At a school function
 - ❑ Off school property (*as of July 1, 2013*)



What is 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

Sexual Harassment



- ❑ *UNWELCOME sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature that tends to create a hostile or offensive work environment.* Sexual harassment is a form of Sex Discrimination that occurs in the workplace.
- ❑ Persons who are the victims of sexual harassment may sue under Title VII of the Civil Rights Act of 1964 which prohibits sex discrimination in the workplace.

Types of Sexual Harassment

- ❑ Quid Pro Quo (“This for That”) - a person in a position of authority, typically a supervisor, demands sexual favors as a condition to getting or keeping a job or benefit
- ❑ Hostile Work Environment - verbal, physical or visual forms of harassment that are sexual in nature, “sufficiently severe, persistent or pervasive” and unwelcome - can be created by 1 severe incident or a series of incidents
- ❑ Student to Student, Adult to Student, Student to Adult, Adult to Adult



What is Bullying?

- ❑ An intentional act of aggression based on a real *or perceived* imbalance of power that is meant to harm a victim either physically or psychologically
- ❑ Usually occurs repeatedly and over time, however sometimes can be identified in a single event



What is Cyberbullying?



- ❑ Harassment or bullying which occurs through any form of electronic communication
- ❑ Includes off school grounds behavior which potentially creates a risk of substantial disruption within the school environment

What is Sexting?

- ❑ Peers forwarding sexually explicit images of themselves (semi nude, nude pictures)
- ❑ Often these pictures are then distributed to others



Types of Bullying Behavior



Physical

- ❑ Hitting, punching, tripping, kicking, pushing, scratching, damaging/ stealing property

Verbal

- ❑ Name calling, teasing, taunting, making offensive remarks, making discriminatory remarks, verbally threatening, intimidating

Social/ Emotional/Relational

- ❑ Excluding or threatening to exclude, Spreading rumors, gossiping, ostracizing, alienating, using threatening looks or gestures, extortion

Cyber-bullying

- ❑ Use of the internet or cell phone to harass and intimidate

Assisting Individual Students Being Bullied and/or Harassed

Communicate to these students the following:

- ❑ Don't blame yourself
- ❑ Don't ignore the behavior
- ❑ Don't make excuses for the behavior
- ❑ Tell the person to stop...be assertive



Assisting Individual students on bullying and harassment (cont)

- ❑ Write the perpetrator a letter- be specific about the incident...tell the person to stop and that you will report the behavior if it occurs again (many times people are not aware of how their remarks or actions are perceived)
- ❑ Write down what happened- report the incident, keep notes, including dates and times, who else was present, what happened, how you felt



Assisting Individual students on bullying and harassment (cont)

- ❑ Tell your parents
- ❑ See your school counselor or teacher to discuss incident
- ❑ See your Assistant Principal, Principal
- ❑ Don't be a bystander- Support the victim, don't cheer on the perpetrator, report the incident



Suggestions for discouraging bullying on a daily basis:

- ❑ Embed activities into your curriculum on:
CIVILITY, CHARACTER ED. & CITIZENSHIP
- ❑ Commit to fostering an environment of respect in your classrooms, hallways and entire building.
- ❑ Integrate the Dignity Act Principles: these include TOLERANCE and RESPECT for others.
- ❑ Model respectful behavior
- ❑ Building wide activities: Unity Day, Mix it up for lunch, Band-Aids for Bully's, School motto

EMPATHY - to see the world through the eyes of others.

GLSEN, 2010 Statistics (Gay Lesbian Straight Education Network)

- ❑ @50% of high school students (2010) admit they bullied or were bullied in the past year
- ❑ @58% of kids say someone has said mean or hurtful things to them online
- ❑ @71% of kids with disabilities/special needs were bullied

LGBT Teen Statistics (Lesbian, Gay, Bisexual, Transgender)

- ❑ 71% LGBT students report bullying and harassment
- ❑ 51% report attempting suicide (compared to 1.6% of general population)
- ❑ 15% left school/dropped out (from SED Guidance document)



Discrimination

- ❑ 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



Transgender and Gender Nonconforming (GNC) - July 2015



- ❑ Cisgender - gender identity conforms to sex at birth
- ❑ Transgender - gender identity does not conform to assigned sex at birth
- ❑ GNC - gender expression differs from stereotype- may identify as male, female, combination, neither
- ❑ Gender transition - gender expression is aligned socially or physically away from assigned sex at birth
- ❑ Gender Dysphoria - formal medical diagnosis

School Response to Transgender and GNC



- ❑ Respect request to change name, pronoun to refer to person
- ❑ Confidentiality- keep birth name in separate file from chosen name
- ❑ Update student's records with chosen name change- attendance, transcript, IEP, etc.
- ❑ Regular training of all adults to ensure creation of a supportive environment for all students

School Response to Transgender & GNC (cont.)



- ❑ Providing access to restrooms matching gender identity – Title IX
- ❑ Unisex bathrooms - private changing space permitted but cannot be forced on Transgender, GNC
- ❑ Transgender, GNC participation consistent with gender identity in gender segregated activities
- ❑ Consult attorney regarding equal access questions

Internal Reporting

(of harassment, bullying, discrimination)

**Report
it!**

- ❑ School employees who witness incidents must report them orally within one school day, and in writing within two days of the oral report
- ❑ Principal, superintendent or designee must lead or supervise the investigation of reports
- ❑ Schools must take prompt action reasonably calculated to end the bullying, harassment, and discrimination, or to eliminate any hostile environment

What's Included?



- Date, time, location
- Name of student target
- Name(s) of aggressor(s)
- Name(s) of witnesses/bystanders
- Description of incident
- Name of reporter (can also be anonymous)

NOTE: Reporting form should be posted on the district website.

Legal Immunity for reporting

- ❑ **DASA protects people who report discrimination or harassment to school officials from civil liability**
- ❑ **Reporter must have reasonable cause to suspect that a student was subjected to discrimination and/or harassment by an employee or student, on school grounds or at a school function**
- ❑ **Reporter must act reasonably and in good faith**
- ❑ **Immunity extends to people initiating, testifying, participating or assisting in formal or informal proceedings under the Act**



Retaliation

DASA prohibits:

- ❑ retaliation against anyone who reports discrimination or harassment in good faith
- ❑ retaliation for initiating, testifying, participating or assisting in formal or informal proceedings under the Act



REPORTING TO THE STATE

Annually containing the following:

- ❑ The type(s) of bias involved (actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, sex or other) – where multiple types of bias are involved, they must all be reported
- ❑ Whether the incident resulted from student and/or employee conduct
- ❑ Whether the incident involved physical contact and/or verbal threats, intimidation or abuse
- ❑ The location where the incident occurred (on school property or at a school function or off school property as of 7-1-13)



GF DASA COORDINATORS

- ❑ Mark Doody, Glens Falls High School
- ❑ Chris Reed, Glens Falls Middle School
- ❑ Debbie Hall, Big Cross Street Elementary School
- ❑ Carrie Mauro, Jackson Heights Elementary School
- ❑ Jennifer Hayes, Kensington Road Elementary School
- ❑ Trent Clay, Assistant Superintendent Director of Curriculum & Instruction



DASA Statewide Survey



- ❑ September 2014
- ❑ Office of Attorney General (OAG) and State Education Department (SED)
- ❑ Intended to:
 - ❑ Identify best practices used by districts
 - ❑ Provide guidance and support to districts to enhance DASA compliance
- ❑ Report released 8/31/16 outlines:
 - ❑ Survey results
 - ❑ Recommendations



SED Survey Results



- ❑ 40% of districts reported zero incidents
- ❑ 81% of districts reported 10 or fewer incidents
 - ❑ reporting levels fairly constant between different sized schools
- ❑ The majority of districts have met the basic requirements put in place by SED

SED Recommendations (8/31/16)

- ❑ Improve DASA training for district personnel
- ❑ Draft age-appropriate plain language versions of the Code of Conduct
- ❑ Make all information available in the necessary languages
- ❑ Provide additional training to DASA coordinators and post his/her contact information
- ❑ Ensure parents and students are aware of protections afforded to students under district codes of conduct



NYSED Resources

- ❑ **Dignity Act:** <http://www.p12.nysed.gov/dignityact>
- ❑ **Guidance for Local Implementation:**
<http://www.p12.nysed.gov/dignityact/documents/DASAGuidanceLocalImplementation.pdf>
- ❑ **Resource for Promising Practices Guide:**
<http://www.p12.nysed.gov/dignityact/documents/FINALDignityForAllStudentsActGuidanceMay2016.pdf>

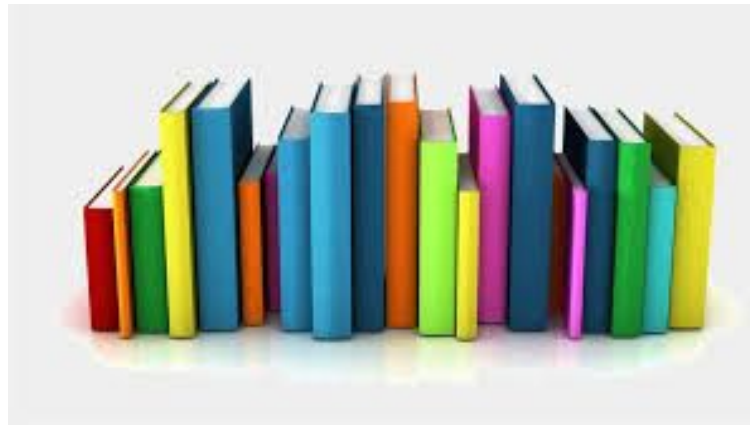


Additional Resources

❑ **Safe and Supportive Learning:**

<https://safesupportivelearning.ed.gov/>

❑ **Stop Bullying:** www.stopbullying.gov



Compassion brings us to
a stop, and for a moment
we rise above ourselves.

-Mason Cooley

