Dignity for All Students Act

What is the Intent of The Dignity Act?
The goal of The Dignity Act is to create a safe and supportive school climate where students can learn and focus, rather than fear being discriminated against and/or verbally and/or physically harassed.

What does The Dignity Act say?
No student shall be subjected to harassment or discrimination by employees or students on school property or at a school function; nor shall any student be subjected to discrimination 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 or expression), or sex.

The Dignity for All Students Act
Effective July 1, 2012
(Chapter 482 Laws of 2010)

Curriculum: Curriculum must include instruction that supports the development of a school environment free of discrimination and harassment.

Code of Conduct: The Code of Conduct must be amended to include provisions prohibiting discrimination and harassment against any student by employees or students, and provisions for responding to such acts.

Reporting: Matters incidents of discrimination and/or harassment on school grounds or at a school function must be reported to NYSED annually.

Dignity Act Coordinator: At least one staff member at every school must be designated and trained to handle human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, and sex.

Employee Training: Employees must receive annual training to raise awareness and sensitivity to potential acts of discrimination and/or harassment and to enable employees to prevent and respond to incidents of discrimination and harassment.

Amendment to the Dignity Act,
Effective July 1, 2013
(Chapter 102 Laws of 2012)
The following provisions are in addition to the original Dignity Act.

Cyberbullying: Cyberbullying will be defined as harassment or bullying by any form of electronic communication, and includes incidents occurring off school property that create or would foreseeably create a risk of substantial disruption within the school environment.

- 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.
- Reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety.
- Reasonably causes or would reasonably be expected to cause physical injury or emotional harm to a student.
- Occurs off school property and creates 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.

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Amendment to the Dignity Act cont.

Reports of Harassment, Bullying and Discrimination: The principal, superintendent, or designee must be charged with receiving reports.

Investigation of Reports: The principal, superintendent, or designee must lead or supervise the prompt and thorough investigation of reports.

Response to Verified Reports: The school must take prompt actions reasonably calculated to end the harassment, bullying or discrimination, eliminate any hostile environment, and ensure the safety of the students toward whom harassment, bullying or discrimination was directed.

Employee Reporting: School employees who witness or receive a report of harassment, bullying, or discrimination must notify the principal, superintendent, or designee within one school day after witnessing the incident or receiving the report, and must file a written report within two school days thereafter.

Notification of Law Enforcement: The Principal, Superintendent or designee will be required to notify appropriate local law enforcement when they believe that any harassment, bullying or discrimination constitutes criminal conduct.

Curriculum: Curriculum must include instruction in safe and responsible use of the internet and electronic communications and emphasize discouraging acts of harassment, bullying and discrimination.

Guidance and Educational Materials: The State Education Department will provide guidance and educational materials, including best practices in addressing cyberbullying, and best practices in helping families and communities to work cooperatively with schools in addressing cyberbullying.

Amendment took effect January 1, 2014:

Professional Certification: Professionals applying for certificate or license, including but not limited to classroom teachers, school counselors, school psychologists, school social workers, school administrators or supervisors, and superintendents of schools, must complete training on the social patterns of harassment, bullying and discrimination, identification and mitigation of harassment, bullying and discrimination, and strategies for effectively addressing exclusion, bias and aggression in educational settings.

Adapted from New York’s Dignity for All Students Act updated brochure, June 2013.

Resources

Web Resources for Curriculum:
- Activities Guide: Making It Work for Your School & Community
- A World of Difference Institute
  www.adl.org
- Educators for Social Responsibility
  www.esrational.org
- Fit for Gender Mainstream: GENDER TOOLBOX
  www.gendertoolbox.org
- Gay, Lesbian, Straight Education Network
  www.glsen.org
- Guides for teaching about internet usage
  www.edudemic.com
- National Youth Violence Prevention Resource Center
  www.safety.org
- The Social Studies Help Center
  www.socialstudieshelpcenter.com
- Teaching Tolerance
  www.teachingtolerance.org
- Teens Against Bullying
  www.pabteensagainstbullying.org
- Understanding Prejudice
  www.understandingprejudice.org

Bibliography of Curriculum Resources:
- Mullin, Nancy L.
  Overuse Bullying Prevention Program Companion
  Bibliography for Grades K-12.
  Highmark Foundation (2013)
  As a free download, at the Bullying Prevention Institute:
  http://www.bullyingpreventioninstitute.org/rtcours/home/ResearchAndReports.aspx

Resources for Cyber Education:
- Willard, Nancy C.
  Cyber-Safe Kids, Cyber-Savvy Teens: Helping Young People Learn to Use the Internet Safely and Responsibly
- Limber, Susan P., Kowalski, & Robins M. & Agatston, Patricia W.
  Cyber Bullying: A Prevention Curriculum for Grades 6-12
  Hazzledon (2009)

For more information on the Dignity for All Students Act, contact Janet Fayette, Consultant Support Services at OCM BOCES, 315-433-2609.
HARASSMENT OR INTIMIDATION (BULLYING) REPORTING FORM

Directions: Harassment and intimidation (bullying) are serious and will not be tolerated. This is a form to report alleged harassment and intimidation (bullying) that occurred on school property; at a school-sponsored activity or event off school property; on a school bus; or on the way to and/or from school, in the current school year. If you are a student victim, the parent/guardian of a student victim, or a close adult relative of a student victim, or a school staff member and wish to report an incident of alleged harassment or intimidation (bullying), complete this form and return it to the Principal at the student victim’s school. Contact the school for additional information or assistance at any time.

Harassment and bullying shall mean the creation of a hostile environment by conduct or by threats, intimidation or abuse, including cyberbullying, that: (a) 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; or (b) reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety; or (c) reasonably causes or would reasonably be expected to cause physical injury or emotional harm to a student; or (d) occurs off school property and creates 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. Acts of harassment and bullying shall include, but not be 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 or sex. For the purposes of this definition the term “threats, intimidation or abuse” shall include verbal and non-verbal actions. Cyberbullying” shall mean harassment or bullying as defined above where such harassment or bullying occurs through any form of electronic communication.

Today’s date: _________ / _________ / ___________ School: ______________________________________________

School System: _______________________________________

PERSON REPORTING INCIDENT

Name: _________________________________________________

Telephone: ___________________________ E-mail: _________________________________________________

Place an X in the appropriate box: ☐ Student ☐ Parent/guardian ☐ Close adult relative ☐ School Staff

1. Name of student victim: ___________________________________________ Age: _________ (Please print)

2. Name(s) of alleged offender(s) (If known): (Please print) Age School Is he/she a student?

___________________________________________ ☐ Yes ☐ No

___________________________________________ ☐ Yes ☐ No

___________________________________________ ☐ Yes ☐ No

3. On what date(s) did the incident happen?:

_ / ______ / _______ / ______ / ______ / _______ / ______ / ______ / ______

Month Day Year Month Day Year Month Day Year

4. Where did the incident happen (choose all that apply)?

☐ On school property ☐ At a school-sponsored activity or event off school property

☐ On a school bus ☐ On the way to/from school*

5. Place an X next to the statement(s) that best describes what happened (choose all that apply):

☐ Hitting, kicking, shoving, spitting, hair pulling, or throwing something

☐ Getting another person to hit or harm the student

☐ Teasing, name-calling, making critical remarks, or threatening, in person or by other means

☐ Demeaning and making the victim of jokes

☐ Making rude and/or threatening gestures
Excluding or rejecting the student
Intimidating (bullying), extorting, or exploiting
Spreading harmful rumors or gossip
Other (specify) _______________________________________________________________________________

6. What did the alleged offender(s) say or do?
________________________________________________________________________________________________________
________________________________________________________________________________________________________
________________________________________________________________________________________________________
________________________________________________________________________________________________________
________________________________________________________________________________________________________

(Attach a separate sheet if necessary)

7. What are the circumstances under which this (bullying) occurred?
________________________________________________________________________________________________________
________________________________________________________________________________________________________
________________________________________________________________________________________________________
________________________________________________________________________________________________________

(Attach a separate sheet if necessary)

8. Did a physical injury result from this incident? Place an X next to one of the following:
   ❑ No
   ❑ Yes, but it did not require medical attention
   ❑ Yes, and it required medical attention

9. If there was a physical injury, do you think there will be permanent effects? ❑ Yes ❑ No

10. Was the student victim absent from school as a result of the incident? ❑ Yes ❑ No
    If yes, how many days was the student victim absent from school as a result of the incident? _________

11. Is there any additional information you would like to provide?
________________________________________________________________________________________________________
________________________________________________________________________________________________________
________________________________________________________________________________________________________
________________________________________________________________________________________________________
________________________________________________________________________________________________________
________________________________________________________________________________________________________
________________________________________________________________________________________________________
________________________________________________________________________________________________________
________________________________________________________________________________________________________

(Attach a separate sheet if necessary)

Signature: ___________________________ Date: ___________________

Administrative Use:
What response/action was taken in regard to this matter?

This form is to be confidentially maintained in accordance with the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g.