

Dignity for All Students Act Training



Franklin-Essex-Hamilton BOCES

23 Huskie Lane

Malone, NY 12953

Dignity Act

Effective July 1, 2012
Amended July 1, 2013
OCR Update January 2016

States that **NO** student shall be subjected to harassment or discrimination by employees or students on school property, a school bus, at a school function and/or that may occur outside school property based on their **actual** or **perceived**:

- ❖ Race
- ❖ Color
- ❖ Weight
- ❖ National Origin
- ❖ Ethnic Group
- ❖ Religion
- ❖ Religious Practice
- ❖ Disability
- ❖ Sexual Orientation
- ❖ Gender (including Gender Identity or Expression)
- ❖ Sex



Creating a Safe and Supportive Environment For Transgender & Gender Nonconforming Students

The NYSED is committed to providing all public school students, including transgender and gender nonconforming (GNC) students, with an environment free from discrimination and harassment.

The administrators, faculty, staff and students each play an important part in creating a safe and supportive environment to progress academically and developmentally free from harassment, bullying and discrimination.

Understanding Transgender Students

Research indicates that transgender and gender nonconforming students are targeted with physical violence and experience a hostile school environment at an even higher rate than Lesbian, Gay and Bisexual peers, both nationally and in New York State.

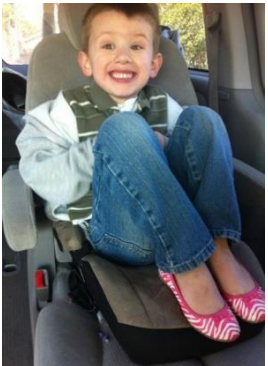
These students because of the possibility of misunderstanding and lack of knowledge about their lives, may be at a higher risk for peer ostracism, victimization and bullying. Educators play an essential role in advocating for the well-being of students and creating a supportive school culture.

Schools should work closely with the student and family to devising an appropriate plan regarding the confidentiality of the students transgender status. The school staff should work closely with the student, families and other staff members on a plan to inform and educate the student's peers.

Common Terminology Associated with Gender Identity



- ❖ Assigned Sex at Birth
- ❖ Cisgender
- ❖ Gender Expression
- ❖ Gender Identity
- ❖ Gender Nonconforming (GNC)
- ❖ Sexual Orientation
- ❖ Transgender
- ❖ Transition



Understanding Gender Identity

Transgender youth are those whose assigned birth sex does not match their internalized sense of their gender and GNC youth are those whose gender-related identity does not meet the stereotypically expected norms associated with their assigned sex at birth.

The person best situated to determine a student's gender identity is the individual student and in case of a very young student not yet able to advocate for themselves, the request to respect and affirm the student's identity will come from the student's parent or guardian.

DASA Goal

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.



Bullying ~ Cyber Bullying ~ Intimidation Verbal Threats ~ Harassing Conduct Abuse ~ Inappropriate Touching

This can done through communicating by any means including:

- ✓ Oral
- ✓ Written
- ✓ Electronic Devices



on school property, a school bus, at a school function or off school property, where such acts create 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.

What is Bullying?

- ❖ Acts of aggression intended to cause harm (verbal, physical, relational or cyber)
- ❖ By a peer/group of peers or adult operating from position of strength or power
- ❖ Usually repeated, or has the potential to be repeated, over time



How is Bullying Different from Conflict or Play?



Conflict: A struggle, dispute or misunderstanding between two equal forces

Playing: A mutually desirable interaction (positive affect, give and-take) rough, tumble and playing that many often mistake for aggression and bullying



Examples of Bullying

- ✓ Verbal
- ✓ Social
- ✓ Physical
- ✓ Microaggression
- ✓ Cyberbullying



Common Myths About Students Who Bully

- ❖ Students who bully are loners
- ❖ Students who bully have low self-esteem and are insecure
- ❖ Students bully others because they want attention
- ❖ Bullying behavior is a normal part of children being children
- ❖ Only boys bully others



Students Most Likely to Be Bullied

Some research suggests that students are most likely to be bullied because of perceived differences, such as:

- ❖ Appearance or body size
- ❖ Perceived to be gay, lesbian, bisexual or transgender
- ❖ Degree of masculinity or femininity
- ❖ Performance in school
- ❖ Race, ethnicity, national origin and /or religion
- ❖ Low-income household
- ❖ Youth with disabilities and other special health needs

Possible Indicators of Students Who Are Being Bullied

- ❖ Physical signs like torn, damaged or soiled clothing; unexplained cuts, bruises and scratches; missing or damaged personal items like books or homework with out a credible explanation
- ❖ Socially isolated
- ❖ Become truant or have frequent claims of physical ailments in order to be allowed to go home
- ❖ Begin doing poorly in school, receiving declining grades

Harassment

- ❖ Generally defined as conduct which annoys, threatens, intimidates, alarms or puts a person in fear of safety
- ❖ Unwanted, unwelcomed and uninvited behavior that demeans, threatens or offends the victim and results in a hostile environment



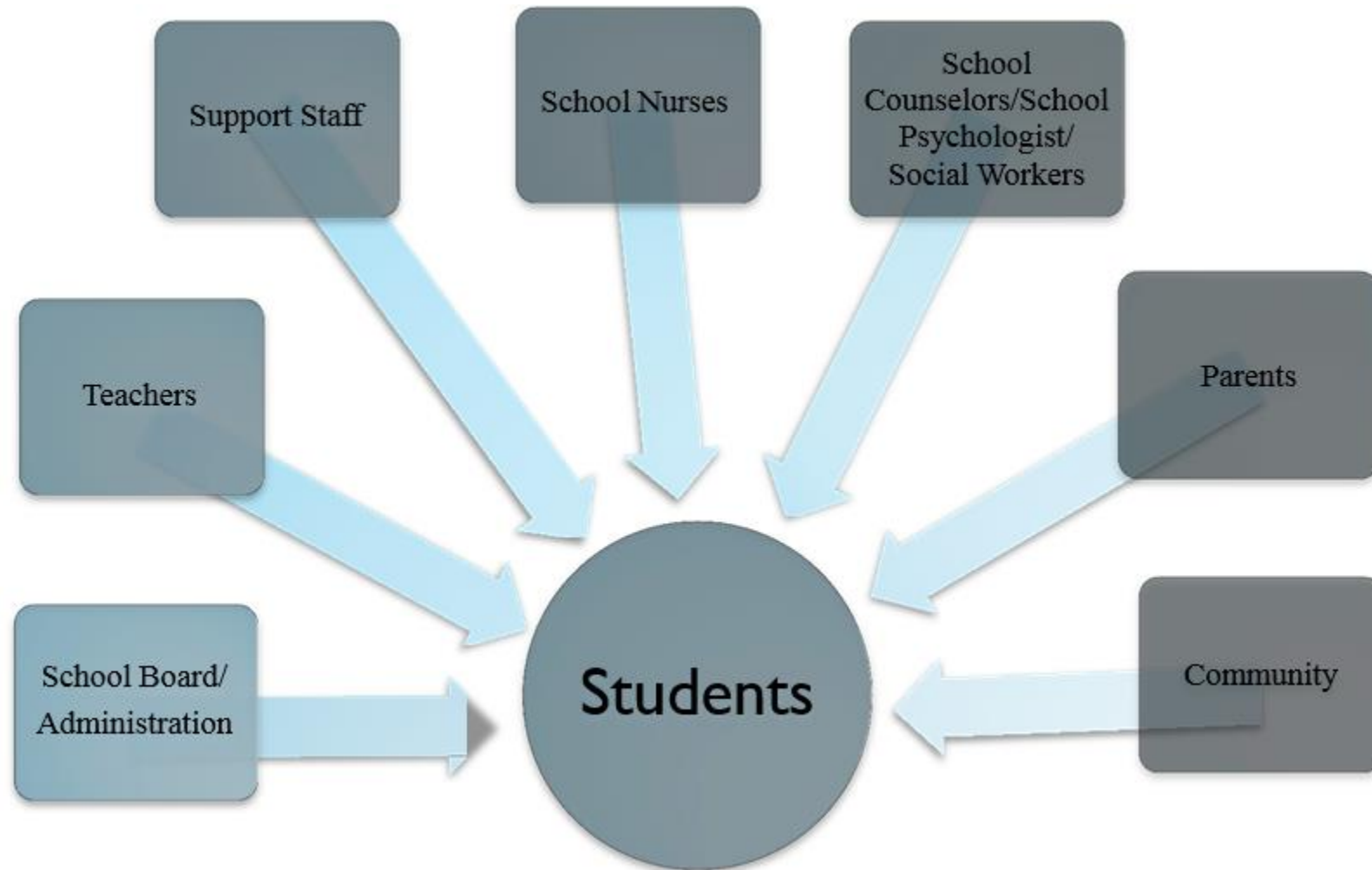
Types Harassment

Can be done in an aggressive, intimidating or hostile way through:

- ❖ Verbal
- ❖ Nonverbal
- ❖ Physical
- ❖ Electronic



Who is involved in Bullying Prevention in our Schools?



Guidelines for Reporting and Investigating DASA Incidents

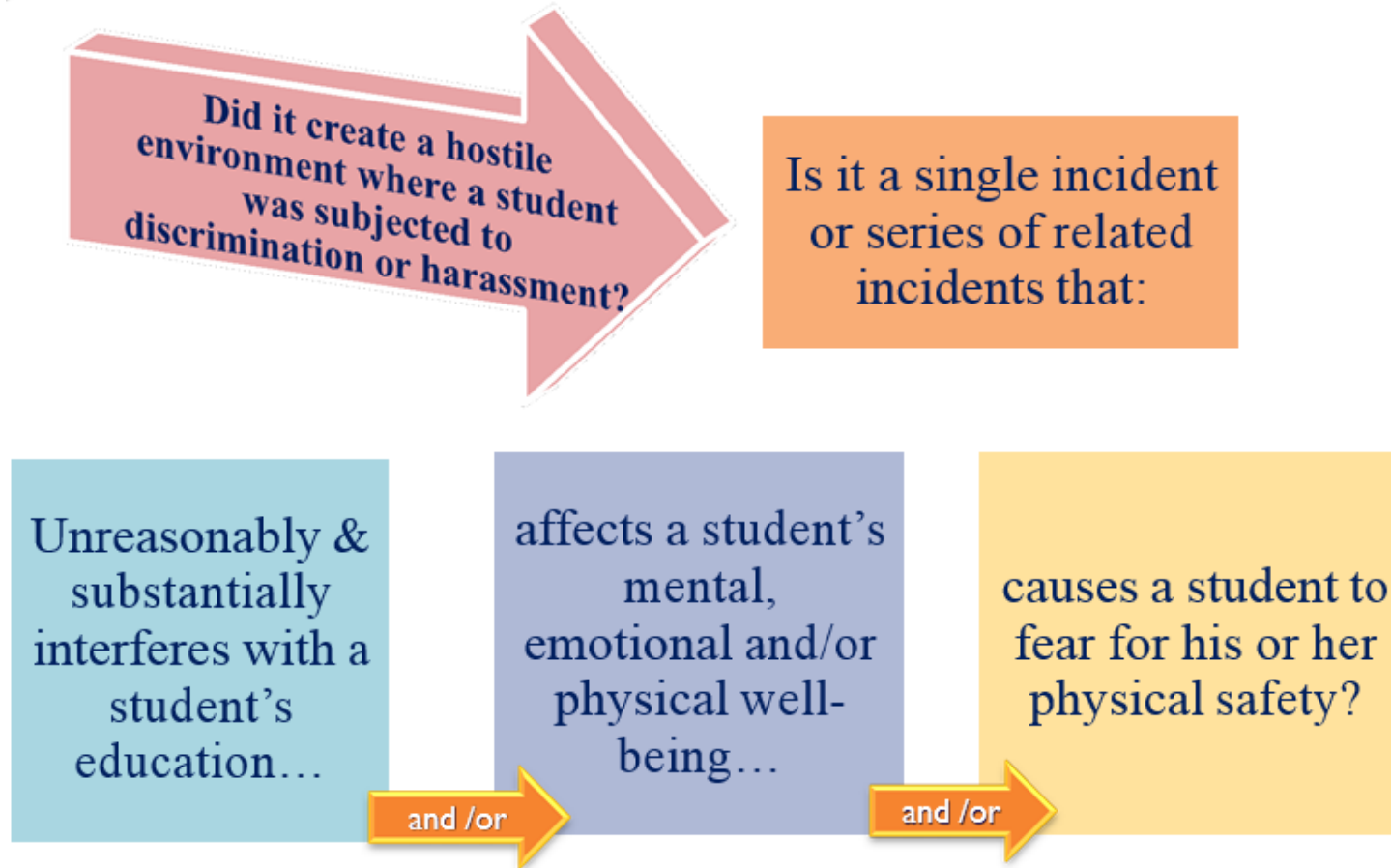
Additionally, under the Dignity Act, schools will be responsible for collecting and reporting data regarding material incidents of discrimination and harassment by using a district form to track such incidents.

Material incidents refers to the following:

Did the single incident or series of related incidents....

- ✓ Have an offender who is an employee or student or both?
- ✓ Occur on school property, at a school function or off school grounds?
- ✓ Involve physical contact and/or verbal threats, intimidation or abuse?
- ✓ Involve one of the 11 named classes (bias) or other?
(Whether actual or perceived)

How do you know when to fill out a DASA form?



Bias Types



Staff Responsibilities

If you see an incident or a student comes to you to discuss an incident related to bullying or harassment by an employee or student it is your responsibility to do the following:

- ❖ Gather facts from the alleged victim
- ❖ Document the incident utilizing the district report form (regulated mandate)
- ❖ Touch base with the Dignity Act Coordinator and Administration:
 - ✓ Discuss the incident with the DAC to provide support for reporting the DASA incident

Mary Dickerson, NFEC
Rick Swanston, AEC

Increase Awareness & Supervision

- ❖ Be Present and Positive
 - Greet students by name
 - Be models of dignity and respect
- ❖ Acknowledge and Reward Desired Behavior
- ❖ Arrange for Active Supervision in “Hot Spots”
(hallway, lunch, recess, before school)



Administrative Responsibilities

Investigations may involve selected school personnel based on their knowledge and experience of investigative techniques:

- ❖ Use a continuum of consequences and interventions
 - ✓ Written apology if sincere, education/counseling, loss of privilege, detention, lunch detention, in-school suspensions, out of school suspension, increased supervision, parent contact, coordination with law enforcement or mental health service
- ❖ Report the incident to the alleged victim's parents and the offender(s) parents
 - ✓ Keep the parents informed, get them involved and keep them aware of future incidents
- ❖ Follow-up privately with the alleged victim to provide support and assess needs - document the follow-up on the report form
- ❖ Once the report form is completed hand it in to the DAC to sign-off on the report and for tracking purposes

Involve Parents as Partners

Work with parents proactively:

- ❖ Communicating about an incident
 - ✓ Be timely with communication
 - ✓ Focus on the behavior (not the person)
 - ✓ Avoid blaming or judging (expect denial)
 - ✓ Emphasize how this type of behavior can be a problem for their child, the other person and the school environment
 - ✓ Inform the parent about school response
 - ✓ Work together to help the child behave in other ways
 - ✓ Provide outside resources - Family Support Center



**When in Doubt, contact your
Dignity Act Coordinator!**

