



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



School Climate and Student Achievement

- school climate domains of safety and respect, community engagement, and high academic expectations all proved to be important factors that were associated with student achievement Jonathan Ryan

Davis, Nathan Warner 2016

- The findings of this study suggest that students achieve higher scores on standardized tests in schools with healthy learning environments. Angus J

MacNeil, Doris L. Prater & Steve Busch Feb 2009



NYS Safe Schools Task Force

Re-established in Jan. 2013 by Board of Regents after the Newtown, CT tragedy

Two themes evident throughout their recommendations:

1. Promote and measure school climate rather than focus exclusively on measuring school violence
2. Focus on Social Emotional Learning to help students learn the essential skills that affect every area of their lives



Material Incident of Harassment, Bullying, and/or Discrimination

Means a single verified incident or a series of related verified incidents where a **student** is subjected to harassment, bullying and/or discrimination by a student and/or employee



Harassment and Bullying

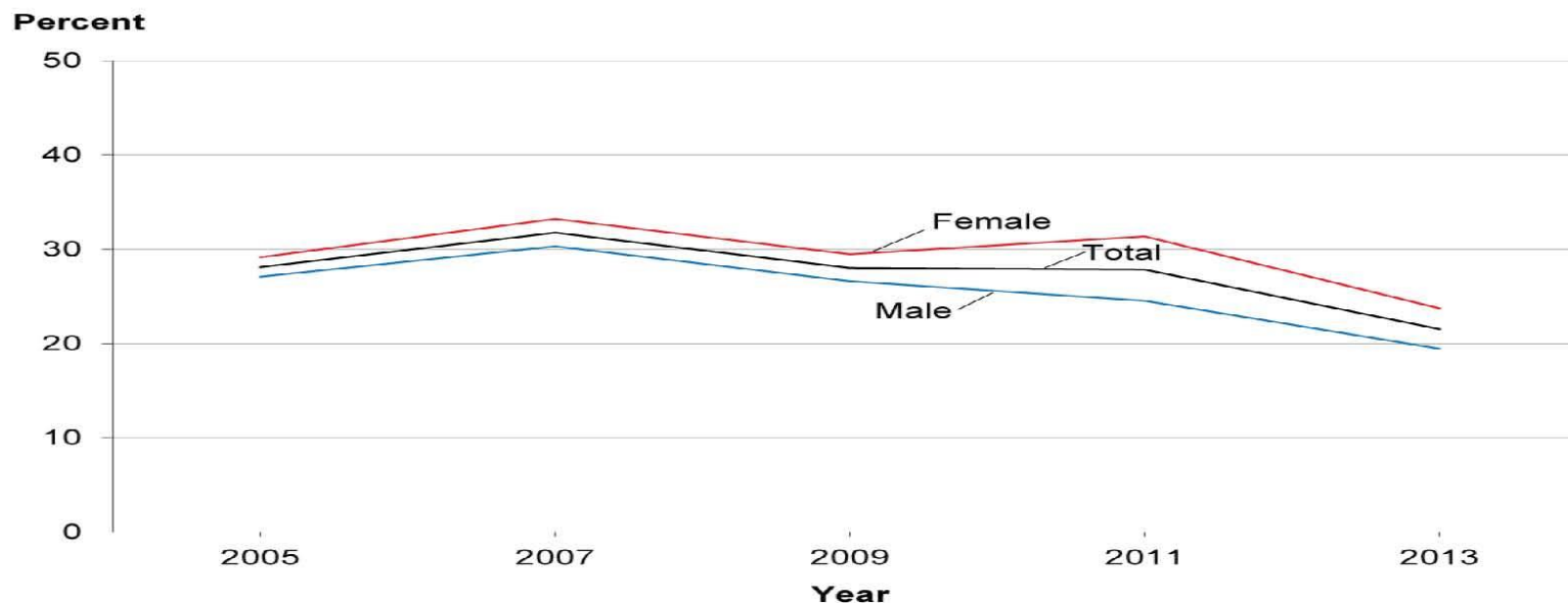
[T]he creation of a hostile environment ... that either:

- 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**, including conduct ... that reasonably causes or would reasonably be expected to **cause emotional harm**; or
- b) Reasonably causes or would reasonably be expected to cause physical injury to a student or **cause a student to fear for his or her physical safety**.



Student reports of Bullying

Percentage of U.S. students ages 12–18 who reported being bullied at school during the school year, by gender: Selected years, 2005 through 2013



NOTE: "At school" includes the school building, on school property, on a school bus, or going to and from school.

SOURCE: U.S. Department of Justice, Bureau of Justice Statistics, School Crime Supplement (SCS) to the National Crime Victimization Survey, 2005 through 2013.



Biased-Related Incidents

Based on the following:

- race
- color
- weight
- national origin
- ethnic group
- religion
- religious practice
- disability
- sexual orientation,
- gender (including gender identity and expression)
- sex
- or other (physical characteristics, age, socio-economic status, health condition, housing, domestic relationships, social/academic status, etc.)



Incidents

*Hostile
Environment*

School Climate

Criminal Justice

Educational

LENS

- Laws/Rule infractions
 - Evidence required
 - Determine who perpetrator is
 - Apply punishment/discipline
 - Case by case
 - **Negative emphasis: DO NOT**
- Relationships/Norms
 - All students as *works in progress*
 - Respectful and responsible behavior necessary for safety/learning
 - Requires on-going proactive efforts
 - **Positive emphasis: DO**



Individual Incident Report

Individual Incident Report (IIR) Form

Education Law §2802 and the Commissioner's regulation 100.2 (gg) require schools to report all violent or disruptive incidents that occur during the school year and summer months, between July 1 and June 30, including when summer school is in session. **It is expected that schools collect the required information (below), electronically or in paper form, using a format such as the Individual Incident Report (IIR).** The format should be the basis for the submission of the annual School Safety and the Educational Climate (SSEC) Summary Data Collection Form. **Do not send copies of IIR forms to SED.**

Category of Incident (Check any that apply):

1. Homicide	
2a. Forcible Sex Offenses	
2b. Other Sex Offenses	
3a. Assault-Physical Injury	
3b. Assault-Serious Physical Injury	
4a. Weapons Possession: Routine Security Checks	
4b. Weapons Possession: Other	
5a. Materials Incidents of Discrimination, Harassment, and Bullying (all excluding Cyberbullying)	
5b. Cyberbullying	
6. Bomb Threat	
7. False Alarm	
8. Use, Possession, or Sale of Drugs	
9. Use, Possession, or Sale of Alcohol	

Incident was biased related (Check any that apply):

c) Race <input type="checkbox"/>	f) Color <input type="checkbox"/>	ii) Disability <input type="checkbox"/>	l) Sex <input type="checkbox"/>
d) Ethnic Group <input type="checkbox"/>	g) Religion <input type="checkbox"/>	j) Gender <input type="checkbox"/>	m) Weight <input type="checkbox"/>
e) National Origin <input type="checkbox"/>	h) Religious Practices <input type="checkbox"/>	k) Sexual orientation <input type="checkbox"/>	n) Other <input type="checkbox"/>

Incident was: (Check if applies)

___ (o) Gang or group-related

If the incident involved the use of one or more weapons, indicate the number of weapons, by weapon type used, listed below:

___ (q1) Firearms
___ (q2) Knives
___ (q3) Other Weapons

Incident was: (Check any that apply)

___ (r) Involving Alcohol
___ (s) Involving Drugs

Expected that schools collect the required information.

Reports are to be kept at the school until the youngest person involved is 27 years old.

<http://www.p12.nysed.gov/ss/ssae/schoolsafety/vadir/>



4. Understanding DASA

Listening
=
Learning



NYS Dignity for All Students Act (DASA)

Legislative Intent: “... To afford all students in public schools an environment free of discrimination and harassment. The purpose of this ... is to foster civility in public schools and to prevent and prohibit conduct which is inconsistent with a school’s educational mission.”

Ed. Law Article 2 Section 10



Dignity Act Coordinator

- At least one employee in every school shall be designated as a Dignity Act Coordinator and receive special DASA training.
- The name(s) and contact information shall be shared with all school personnel, students, and persons in parental relation:
 - ✓ Listed in the Code of Conduct
 - ✓ Posted on School/District Website
 - ✓ Posted in highly-visible areas of school building
 - ✓ Available at District and school level administrative offices
 - ✓ Notify person in parental relation yearly

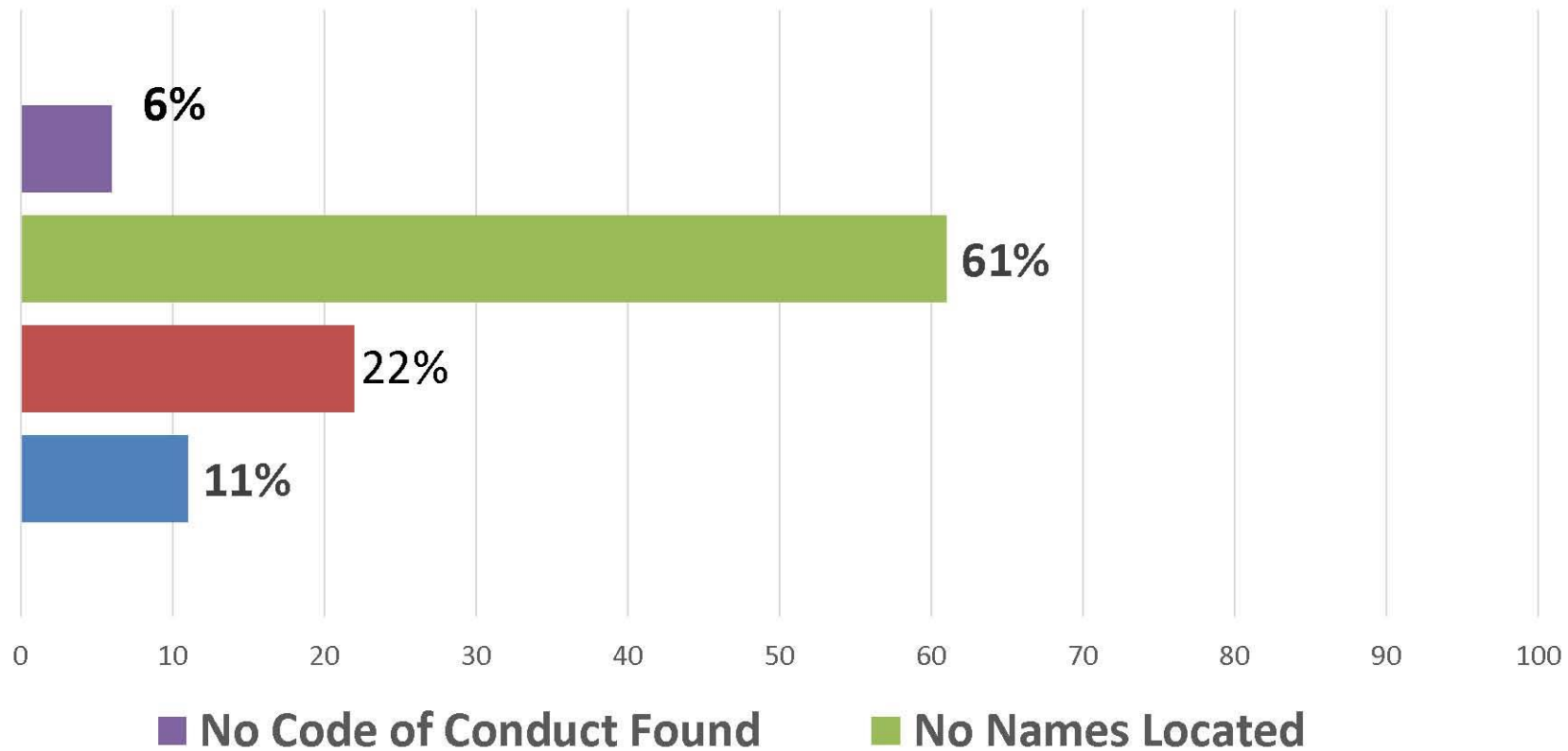


Dignity Act Website Audit

19 Component School Districts

DIGNITY ACT COORDINATOR

Is the Dignity Act Coordinator's name listed in the District's Code of Conduct and is there corresponding contact information available (July 2017)?



New York State Education Department



New York State Office of Criminal Justice Services

DASA for Administrators



Incident Reporting Timelines

Reporting: all school employees are required to orally report the incident(s) **within one school day** to the principal, superintendent or his/her designee and report it **in writing within two school days** after making an oral report.

CR 100.2 (kk) (2) (ii) (a) and (b) AND Article 2 Section 13 (1) (c)





Lead or Supervise Investigation

- Dignity Act Coordinator or Administrator typically leads the investigation
- Team approach is best; school resource officer and mental health professional
- Use calm problem solving, inquiry approach to find out:
 - What exactly was said and done (save evidence)
 - Motive/intent (anger, misguided joke, threat of harm to safety)
 - Relationship and past history (one time occurrence or repeated)
 - Impact or perceived impact on school functioning



Investigation

- Interview the target/victim of the incident first; separately and away from the alleged offender
- Interview the alleged offender accused of the incident
- Interview any witnesses, including students, teachers and staff
- Obtain any other objective evidence from recording devices or, in the case of cyberbullying, copies of tweets, emails, Facebook pages, etc.



Investigation (Cont.)

- Complete IIR based upon investigation as promptly as possible
- Contact law enforcement if behavior is believed to constitute criminal conduct
- The person(s) in parental relation of each student interviewed should be contacted to inform them of the incident and the verification process, in accordance with school/district policies



6. Intervention





Dignity for All Students Act (cont.)

“A strictly punitive or reactive approach to inappropriate student behavior is neither the intent of the Dignity Act, nor has it been proven effective in reducing incidents...it is recommended that strategies such as prevention, intervention, and graduated/progressive discipline be considered...”



Plan for Action

✓ **Description of plan to eliminate bullying and reduce the hostile environment**

✓ **Remediation:** *(use all that apply)*

Education

Counseling

Disciplinary

Restorative Justice or other program

Law Enforcement

Other *(describe)*

The person(s) in parental relation of both the target and the aggressor should be contacted about the plan.



7. Prevention: DASA and School Climate



The New York
Academy of Medicine

At the heart of urban health since 1847

Prevention

Is the key to good health



What is School Climate?

School climate is –

“the way school culture affects a child’s sense of safety and acceptance, and consequently is a critical determinant of their ability to focus on the task of learning”



DASA Prevention

“A program geared to prevention is designed to not only decrease incidents of harassment, bullying and/or discrimination, but to help students build more supportive relationships with one another by integrating the prevention and intervention program into classroom instruction”.

School Climate Matters



Presented by Assistant Commissioner Renee Rider at the June 12, 2017
Board of Regents meeting, Slide 40



8. Safe Schools Action Planning





Change Process

- Form a group/committee of stakeholders
- Examine data for trends and plan for change
- Additional training for instructional and non-instructional staff, as needed
- Additional training for Dignity Act Coordinator as needed
- Set goals and strategies to improve school climate
- Develop/refine school policy and procedures



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