

DIGNITY FOR ALL STUDENTS ACT POLICY GUIDELINES

The Guidelines and resources referred to in the District's Dignity for All Students Act (Dignity Act) Policy are incorporated into this Policy, its Telecommunications Use Policy and other relevant policies, by reference. The Guidelines are intended to create a school environment that is free from discrimination and harassment. They shall be used in school training programs to discourage the development of discrimination or harassment and raise the awareness and sensitivity of employees to potential discrimination or harassment. The Guidelines shall also be used in school training programs to enable District employees to prevent, if possible, and respond to discrimination or harassment. They shall also address the development of non-discriminatory instructional and counseling methods.

The staff is encouraged to creatively incorporate the principles in the Dignity Act into core subjects. Any core subject may incorporate Dignity Act principles into a lesson. Examples of how this may be accomplished are found in the State Education Department's (SED) "A Resource and Promising Practice Guide for all School Administrators and Faculty" (Resource Guide). The Resource Guide is intended to aid in developing, or developmentally designing, programs and lessons.

A range of age-appropriate interventions, programs and resources to aid the District and its staff in developing lessons that incorporate the Dignity Act principles is contained in the Resource Guide. Any intervention, program or resource should be analyzed for appropriateness for a particular student population before use.

"Educating the Whole Child and Engaging the Whole School: Guidelines and Resources for Social and Emotional Development and Learning (SEDL) in New York State" (www.p12.nysed.gov/sss/sed/SEDL_guidlines.pdf) is also recommended by the SED for developing a School Dignity Act program. Its guidelines and resources posit that social and emotional development and learning are within reach through a range of approaches that serve as entry points and avenues for expansion.

The U.S. Department of Education Office of Safe and Healthy Students, (<http://www2.ed.gov/about/offices/list/ocse/osh/index.html>) addresses additional resources for school districts to implement programs and services to prevent violence in schools, as well as drug and substance abuse. The information on this site is designed to assist school administration and other interested staff members to understand the requirements and provisions of anti-bullying and harassment laws including the Dignity Act. Specific resources related to anti-bullying and creating and maintaining a positive school environment are also included.

Ensuring Awareness of the Code of Conduct

The Board of Education shall ensure community awareness of its Code of Conduct by:

1. Posting the complete Code of Conduct on the School Districts and each school's website including any annual updates or amendments.

2. Providing to students a summary of the Code of Conduct in an age appropriate version written in plain language at a school assembly to be held at the beginning of each school year.
3. Providing to persons in parental relation to students a plain language summary of the Code of Conduct before the beginning of each school year and, thereafter, making the summary available upon request.
4. Providing each existing teacher with a copy of the complete Code of Conduct and any amendments as soon practicable following initial adoption or amendment of the Code, and providing new teachers with a complete copy of the current Code upon their employment.
5. Making complete copies available for review by students, parents or persons in parental relation to student, other school staff and other community members.
6. Instruction in the relevant portions of the District's Code of Conduct and Telecommunications Use Policy as part of the instruction in civility, citizenship, and character education. Such instruction shall include instruction in the safe and responsible use of the internet and electronic communications.

School Employee Training to Implement the Dignity Act

In accordance with Section 100.2 (jj) of the Commissioner's Regulation, the School District shall establish standards for a training program for school employees and administrators in accordance with the following guidelines:

1. A school employee training program shall be implemented beginning with the 2012-13 school year and, thereafter, in order to promote a positive school environment free from discrimination and harassment and to discourage and respond to incidents of discrimination and harassment on school property or at any school function. Employee training guidelines shall be approved by the Board of Education of the School District.
2. Training for employees including school and district administrators, shall be designed to:
 - A. Raise awareness and understanding of the school district's Code pursuant to Section 100.2 (l) of the Commissioner's Regulations.
 - B. Raise awareness and sensitivity to potential acts of discrimination or harassment directed at students that are committed by students and/or school employees on school property or at school functions, including but not limited to discrimination or harassment based upon a person's actual or

perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, and gender identity or sex.

- C. Enable employees to prevent and respond to incidents of harassment and discrimination.
3. Training and refresher training are to be conducted as needed and may be implemented and conducted in conjunction with existing professional development training pursuant to Section 100.2 (dd) (2) (ii) of the Commissioner's Regulations or with any other training for school employees.
 4. Training shall also be designed to foster the development of non-discriminatory instructional and counseling methods.
 5. At least one (1) employee in each school shall be designated by the Board as a Dignity Act Coordinator (DAC). Each DAC shall be instructed in the provisions of the Regulation and thoroughly trained in methods to respond to human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, and gender identity or sex.
 - A. The names, designated school, and contact information for the DACs shall be shared with all school personnel, students, and persons in parental relation.
 - B. The DACs information shall be:
 - i. Listed in the Code of Conduct and updates posted on the School's and School District's websites, if any;
 - ii. Included in the plain language summary of the Code of Conduct provided to persons in parental relation to students before the beginning of each school year;
 - iii. Provided to parents and persons in parental relation in at least one (1) school mailing or other method of distribution including but not limited to, sending such information home with each student, and if such information changes in at least one (1) subsequent School District or School mailing or other such method of distribution as soon as practicable thereafter;
 - iv. Posting such information in highly visible areas of school buildings; and
 - v. Making such information available at the District and School level administrative offices.

- C. In the event a DAC vacates his/her position, another school employee shall immediately be designated for an interim appointment as DAC, pending approval of a successor DAC by the Board within 30 days of the date the position was vacated. In the event, a DAC is unable to perform the duties of the position for an extended period of time, another school employee shall immediately be designated for an interim appointment as DAC, pending return of the previous DAC to his or duties as DAC.
- D. Nothing in this guideline shall be construed to prohibit the denial into admission into, or exclusion from, a course of instruction based upon a person's gender, that would be permissible under Education Law Sections 3201-a or 2854(2)(a) and Title IX of the Education Amendments of 1972 or to prohibit, as discrimination based on disability, actions that would be permissible under Section 504 of the Rehabilitation Act of 1973.

Reports and Investigations of Discrimination and Harassment

The principal shall provide a regular report at least once during the school year on Data and Trends, if any, related to harassment, bullying and discrimination to the Superintendent in order to permit the Superintendent to assess the school climate. The District will investigate all complaints of harassment and discrimination, either formal or informal, and take prompt corrective measures, as necessary. Complaints will be investigated in accordance with applicable policies and regulations. If, after an appropriate investigation, the District finds that this policy has been violated, corrective action will be taken in accordance with District policies and regulations, the Code of Conduct, and all appropriate federal or State laws.

The District will annually report material incidents of discrimination and harassment to the State Education Department even if they occurred in combination with other incidents reported under the Uniform Violent and Disruptive Incident Reporting System (VADIR) and in the manner required by the Commissioner. If a material incident involves more than one category of discrimination and/or harassment, all counts in all categories that apply shall be included. Category definitions are summarized in the State Education Department form *Report of Incidents Concerning School Safety and the Educational Climate*, and submitted to the State Education Department via the online BEDS IMF application.

School employees who witness harassment, bullying, and/or discrimination or receive an oral or written report of such acts shall promptly orally notify the principal, superintendent, or their designee not later than one school day after such employee witnesses or receives a report of such acts, and shall also file a written report with the principal, superintendent, or their designee no later than two school days after making an oral report.

The principal, superintendent or the principal's or superintendent's designee shall lead or supervise the thorough investigation of all reports of harassment, bullying and/or discrimination, and ensure that such investigation is completed promptly after receipt of any written reports.

When an investigation verifies a material incident of harassment, bullying, and/or discrimination, the superintendent, principal, or designee shall take prompt action, reasonably calculated to end the harassment, bullying, and/or discrimination, eliminate any hostile environment, create a more positive school culture and climate, prevent recurrence of the behavior, and ensure the safety of the student or students against whom such behavior was directed.

The principal, superintendent, or their designee shall notify promptly the appropriate local law enforcement agency when it is believed that any harassment, bullying or discrimination constitutes criminal conduct.

If harassment and/or discrimination has occurred, the District shall take prompt and effective steps reasonably calculated to end the harassment and/or discrimination, eliminate any hostile environment, and endeavor to prevent its recurrence. Such steps shall be taken regardless of whether the student makes a complaint or request that the school take action. Disciplinary and remedial consequences may be taken which may include remedies and procedures focusing on intervention in education. A remedial response should also be designed to correct the problem behavior, prevent another occurrence of the behavior, and protect the target of the harassment or discrimination. Appropriate remedial measures may include, but are not limited to:

1. Peer support groups, corrective instruction or relevant learning or community service experience;
 2. Supportive intervention;
 3. Behavior assessment or evaluation;
 4. Behavioral management plans, with benchmarks that are closely monitored;
- and
5. Student counseling and parent conferences.

Prohibition of Retaliatory Behavior (Commonly Known as “Whistle-Blower” Protection)

Any person who has reasonable cause to suspect that a student has been subjected to discrimination or harassment by an employee or student, on school grounds or at a school function, who acts reasonably and in good faith and reports such information to school officials or law enforcement authorities, shall have immunity from any civil liability that may arise from making such report. The Board prohibits any retaliatory behavior directed at complainants, victims, witnesses and/or any other individuals who participate in the investigation of a complaint of discrimination or harassment.