

SUBJECT: DIGNITY FOR ALL STUDENTS ACT

The Board of Education recognizes that learning environments that are safe and supportive can increase student attendance and improve academic achievement. A student's ability to learn and achieve high academic standards, and a school's ability to educate students, is compromised by incidents of discrimination or harassment, including but not limited to bullying, taunting and intimidation. Therefore, in accordance with the Dignity for All Students Act, Education Law, Article 2, the District will strive to create an environment free of discrimination and harassment and will foster civility in the schools to prevent and prohibit conduct which is inconsistent with the District's educational mission.

The District condemns and prohibits all forms of discrimination and harassment of students based on actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex by school employees or students on school property and at all school-sponsored activities and events including any school-sponsored activity or event that takes place at locations off school property. In addition, any act of discrimination or harassment outside of school-sponsored events and/or which take place off school property, which can reasonably be expected to substantially disrupt or interfere with the educational process and/or school education process and/or school environment may be subject to discipline.

Discrimination shall mean discrimination against any student by a student or students and/or employee or employees on school property or at a school function, including but not limited to, discrimination based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex. Harassment shall mean 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; or conduct, verbal threats, intimidation or abuse that reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety; such conduct, verbal threats, intimidation or abuse includes, but is not limited to, conduct, verbal threats, intimidation or abuse based on a person's actual or perceived race, color, weight, national original, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.

Dignity Act Coordinator

At least one (1) employee at every school shall be designated as the Dignity Act Coordinator(s). The Dignity Act Coordinator(s) will be thoroughly trained to handle human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (identity or expression) and sex. The Board of Education shall appoint the Dignity Act Coordinator(s) and share the name(s) and contact information with all school personnel, students, and parents/persons in parental relation, which shall include, but is not limited to, providing the name, designated school and contact information by:

- a) Listing such information in the Code of Conduct and updates posted on the Internet website, if available;

(Continued)

SUBJECT: DIGNITY FOR ALL STUDENTS ACT (Cont'd.)

- b) Including such information in the plain language summary of the Code of Conduct provided to all persons in parental relation to students before the beginning of each school year;
- c) Providing such information to parents and persons of parental relation in at least one district or 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 subsequent district or school mailing or other such method of distribution as soon as practicable thereafter;
- d) Posting such information in highly visible areas of school buildings;
- e) Making such information available at the district and school-level administrative offices.

If a Dignity Act Coordinator vacates his/her position, another school employee shall immediately be designated by the Superintendent or his/her designee for an interim appointment as coordinator, pending approval from the Board of Education, within thirty (30) days of the date the position was vacated. In the event a Coordinator is unable to perform the duties of the position for an extended period of time, another school employee shall immediately be designated by the Superintendent or his/her designee for an interim appointment as coordinator.

Training

Training will be provided each school year for all District employees in conjunction with existing professional development training to raise staff awareness and sensitivity of harassment and discrimination directed at students that are committed by students or school employees on school property or at a school function. Training will include ways to promote a supportive school environment that is free from discrimination and harassment, emphasize positive relationships, and demonstrate prevention and intervention techniques to assist employees in recognizing and responding to harassment and discrimination, as well as ensuring the safety of the victims.

Instruction in grades Kindergarten through 12 shall include a component on civility, citizenship and character education. Such component shall instruct students on the principles of honesty, tolerance, personal responsibility, respect for others, observance of laws and rules, courtesy, dignity and other traits which will enhance the quality of their experiences in, and contributions to, the community. For the purposes of this policy, "tolerance," "respect for others" and "dignity" shall include awareness and sensitivity to discrimination or harassment and civility in the relations of people of different races, weights, national origins, ethnic groups, religions, religious practices, mental or physical abilities, sexual orientations, genders and sexes.

Rules against discrimination and harassment will be included in the Code of Conduct, publicized District-wide and disseminated to all staff and parents. An age-appropriate summary shall be distributed to all students at a school assembly at the beginning of each school year.

(Continued)

SUBJECT: DIGNITY FOR ALL STUDENTS ACT (Cont'd.)

Reports and Investigations of Discrimination and Harassment

The District will promptly investigate all complaints, whether informal or formal, verbal or written. Complaints will be treated confidentially to the extent possible, but disclosure may be required to complete a thorough investigation. 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/or harassment which occurred during the school year to the State Education Department. Such report shall be submitted in a manner prescribed by the Commissioner of Education on or before the basic educational data system (BEDS) reporting deadline or such other date as determined by the Commissioner.

For the purposes of reporting the District shall include in its annual report all material incidents of discrimination and/or harassment that:

1. Are the result of the investigation of a written or oral complaint made to the School Principal or other school administrator responsible for school discipline, or to any other school employee; or
2. Are otherwise directly observed by such principal or administrator, or by any other employee regardless of whether a complaint is made.

"Material Incident of Discrimination and Harassment" means a single incident or a series of related incidents where a student is subjected to discrimination and/or harassment by a student and/or employee on school property or at a school function that creates a hostile environment by conduct, with or without physical contact and/or by verbal threats, intimidation or abuse, of such severe or pervasive nature 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 and/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

Such conduct shall include, but is not limited to, threats, intimidation or abuse based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practices, disability, sexual orientation, gender or sex; provided that nothing in this subdivision shall be construed to prohibit a denial of admission into, or exclusion from, a course of instruction based on 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 (20 U.S.C. section 1681, et seq.), or to prohibit, as discrimination based on disability, actions that would be permissible under section 504 of the Rehabilitation Act of 1973.

(Continued)

***REQUIRED POLICY**

POLICY

2012

7580

4 of 4

Students

SUBJECT: DIGNITY FOR ALL STUDENTS ACT (Cont'd.)

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 participated in the investigation of a complaint of discrimination or harassment.

Education Law Sections 10-18 and 801-a
8 New York Code of Rules and Regulations (NYCRR) Section 100.2(1)(2)

NOTE: Refer also to Policies #1330 -- Appointments and Designations by the Board of Education
#3410 -- Code of Conduct on School Property
#7531 -- Sexual Harassment of Students
#7550 -- Racial Harassment
#8130 -- Equal Educational Opportunities

Adoption Date: August 27, 2012