

New York State Dignity For All Students Act (The Dignity Act)

**An Overview of the Law
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New York State Center for School Safety**

**New York State Education Law
Article 2**

(effective July 1, 2012)



**The Dignity Act
Legislative Intent:
Provide all students in
New York
public schools an
environment free of
discrimination
and harassment.**



The Dignity Act

- What does it include?
- Why is the Dignity Act needed in NYS?
- Who has to do what?
- Where can I go for more information?

The background of the slide features a light blue gradient with a faint, semi-transparent image of classical architectural columns on the left side. The columns are white and have detailed capitals. The entire slide is framed by a thin brown border.

The Dignity Act

- **What does it include?**
- **Link to Federal civil rights statutes**



No student shall be subjected to harassment, discrimination, or bullying by employees or students



No student shall be subjected to discrimination based on their:

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



Bullying and Federal Civil Rights Violations

School districts may violate Federal civil rights statutes and U.S.E.D. regulations when peer harassment based on race, color, national origin, sex, or disability is sufficiently serious that it creates a hostile environment and such harassment is encouraged, tolerated, not adequately addressed, or ignored by school staff.

www.stopbullying.gov/topics/civil_violation/index.htm

Dignity Act § 11: Harassment – the creation of a hostile environment by:

- **conduct, verbal threats, intimidation or abuse that reasonably causes or would reasonably be expected to cause a student to fear for their physical safety**
- **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 origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.**



What sites and events are covered by the Dignity Act?



- The Dignity Act applies to public schools, BOCES, and charter schools.
- The Dignity Act applies to incidents on school property (in a school building, athletic playing field, playground, parking lot, school bus)
- The Dignity Act applies to public school sponsored functions (school-sponsored extra curricular events or activities)

Why is the Dignity Act needed in New York State?

- A survey conducted by **GLSEN**[®] (Gay, Lesbian, and Straight Education Network) in 2009 revealed that more than 1/3 of LGBT students in New York State stated that harassment, bullying, and name calling are serious problems in their schools.
- This included harassment based on a person's weight, physical appearance, and their actual **OR PERCEIVED** sexual orientation.

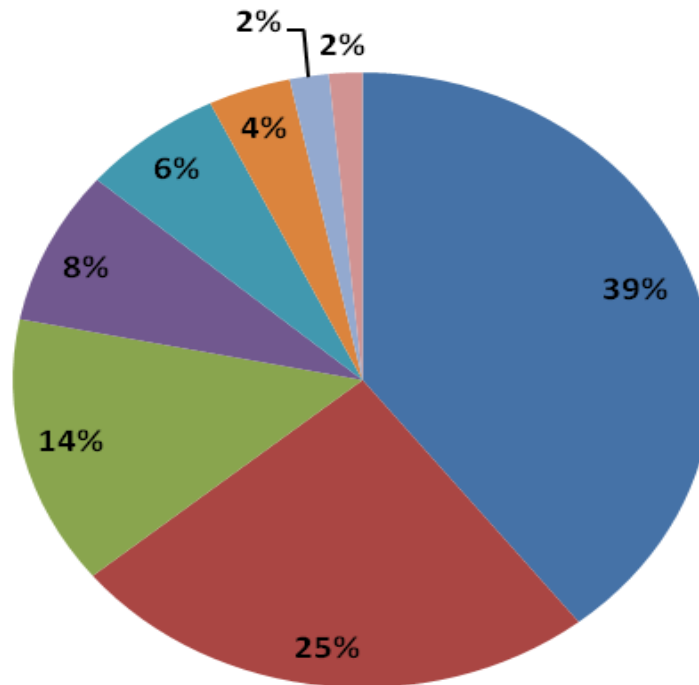
Recent Refugees to NYS of Various National Origins and Ethnic Groups

A total of 4,560 refugees resettled in NYS in FFY 2010, a 3% increase over 2009. Upstate New York resettled 4,099 refugees (90%) and NYC resettled 461 refugees (10%)

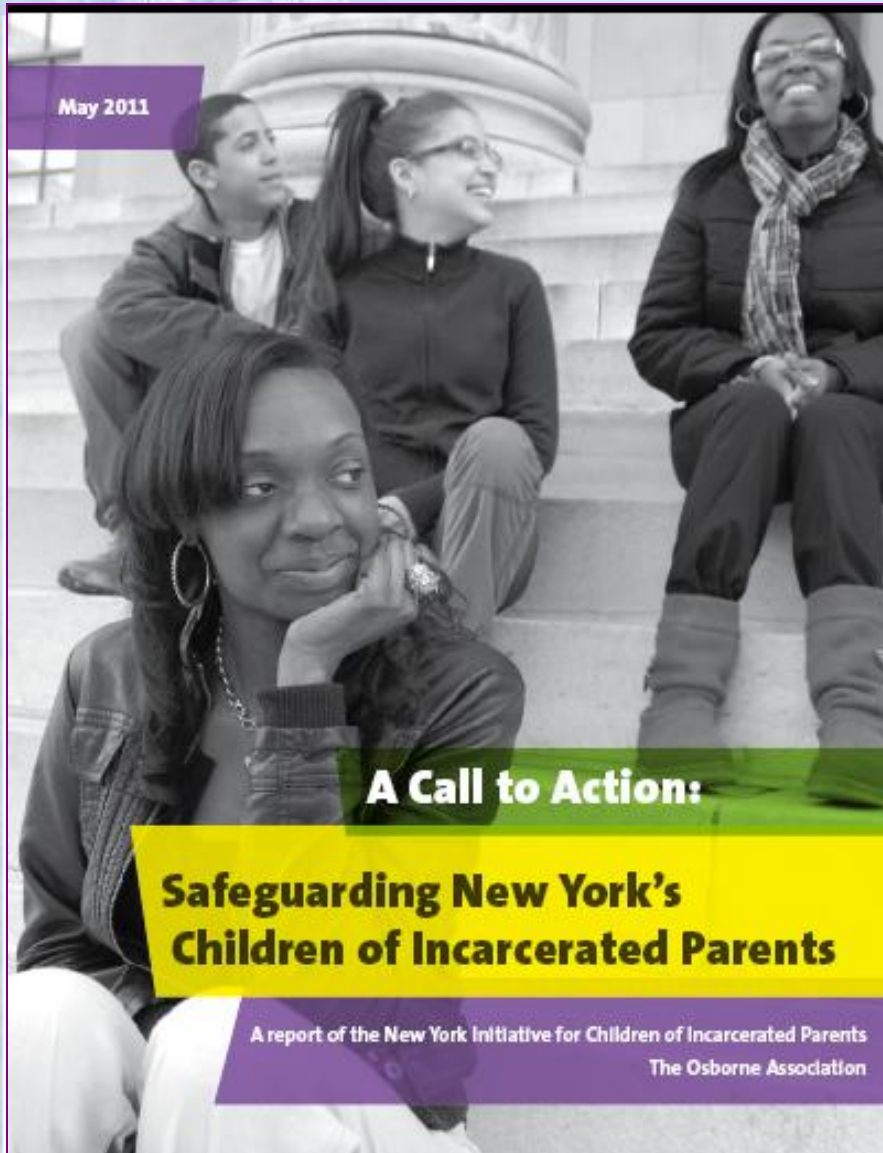
Refugee Arrivals by country of origin 10/01/09-09/30/10

Source: WRAPS Jan 2011

■ Burma ■ Bhutan ■ Iraq ■ Somalia ■ Dem. Rep of Congo ■ Eritrea ■ Cuba ■ Palestine



<http://otda.ny.gov/programs/bria/documents/population-report.pdf>



School-age children may experience problems with grade failure, suspension, and problems with their peers related to teasing and stigma.

<http://www.osborneny.org/NYCIP/ACalltoActionNYCIP.Osborne2011.pdf>

Who has to do what?

- **The Board of Regents and NYSED**
- **Local district requirements**
 - Policy
 - Code of Conduct
 - Dignity Act Coordinator and staff training
 - Student instruction
 - Reporting and response

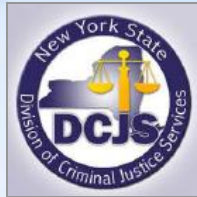
The Board of Regents and NYSED

To prepare for the implementation of the Dignity Act by July 1, 2012; regulatory, policy, and procedural requirements must be developed, promulgated, and enacted by the Board of Regents, the State Education Department, and school districts.

At the January 2011 meeting of the Board of Regents, staff recommended the formation of a **Dignity Act Task Force** comprised of key stakeholder groups, advocates, and Department staff to guide the implementation process.



Dignity Act Task Force



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OCEANSIDE UNION FREE SCHOOL DISTRICT

Dignity Act Task Force Work Groups

- State Policy & Implementation
 - Co-Chairs: NYSED & NYCLU
- Local Policy & Implementation
 - Co-Chairs: NYSED & GLSEN
- Professional Development
 - Co-Chairs: NYSCSS (for NYSED) & ADL
- Curriculum & Instructional Design
 - Co-Chairs: NYSED & NYSUT



How Does the Dignity Act Relate to SAVE requirements

- **The Dignity Act impacts the following SAVE requirements:**
 - **Code of Conduct
CR 100.2(I)**
 - **Uniform Violent Incident Reporting (UVIR)
CR 100.2(gg)**



How Does the Dignity Act Relate to Codes of Conduct

§ 12. Discrimination and Harassment Prohibited

No student shall be subjected to harassment by employees or students on school property or at a school sponsored 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 identity**, or **sex** by school employees or students on school property or at a school sponsored function.



How Does the Dignity Act Relate to Codes of Conduct

**An age-appropriate version
of the policy
written in plain-language
shall be included in the
code of conduct**

NOTE: Codes of Conduct are to be posted on the school web site

The Dignity Act and Uniform Violent Incident Reporting

§ 15. Reporting by Commissioner

The commissioner shall create a procedure under which material incidents of discrimination and harassment on school grounds or at a school function are reported to the department at least on an annual basis.

Such procedure shall provide that such reports shall, wherever possible, also delineate the specific nature of such incidents of discrimination or harassment, provided that the commissioner may comply with the requirements of this section through use of the uniform violent incident reporting system.



How Does the Dignity Act Relate to School Staff

§ 13. Policies and Guidelines

Boards of Education shall create policies and guidelines that shall include, but not be limited to:

- Policies to create a school environment free from discrimination or harassment
- Guidelines to be used in school training programs to raise the awareness and sensitivity of school employees to potential discrimination or harassment
- Guidelines to enable employees to prevent and respond to discrimination and harassment



Additional Dignity Act Requirements

§ 13. Policies and Guidelines

Boards of Education shall create policies and guidelines that shall include, but not be limited to:

- Guidelines relating to the development of nondiscriminatory instructional and counseling methods
- Requirement that at least one staff member at every school be thoroughly trained to handle human relations in the areas of:

Race	Color	National Origin	Weight
Ethnic group	Religion	Religious practice	Disability
Sexual orientation	Gender identity	Sex	

The Dignity Act and School Staff

STAFF TRAINING NOTE

- **Ideally**, one person in each school building should be trained to be the point person for Dignity Act-related issues.
- Depending on the size of the district, a staff member **must be available** to go to every school as needed and be readily accessible to other staff for consultation and advice – as needed (by telephone or other means of communication)
- In smaller school districts, schools may share a staff member to perform this function at multiple schools
- There is no requirement to hire a new staff person to fulfill this role – an existing person may receive the training

The Dignity Act and Student Instruction

- **Education Law §801-a – Instruction in Civility, Citizenship, and Character Education**
- **Grades K-12**
- **Honesty, tolerance, personal responsibility, respect for others, observance of laws, courtesy, dignity.**



The Dignity Act and Student Instruction

- **Tolerance, respect for others, and dignity include awareness and sensitivity to discrimination or harassment and civility in relations of people of different:**
 - **Races**
 - **Weights**
 - **National origins**
 - **Ethnic groups**
 - **Religions**
 - **Religious practices**
 - **Mental or physical abilities**
 - **Sexual orientations**
 - **Gender identity**
 - **Sexes**

How does The Dignity Act relate to gang issues in schools?

- Expected behavior: your code of conduct
- Consistent enforcement with appropriate responses to violations
- Staff training (all staff)
- Reporting: gang activity already required to be included as part of VADIR
- Perpetrator or victim?

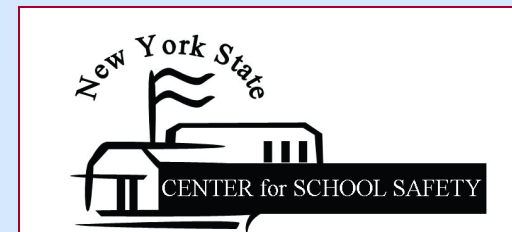
Why is the Dignity Act needed in New York State?

- **The Dignity Act promotes civility and creates a safe nurturing environment**
- **The Dignity Act provides a response to students who are harassed and bullied at school.**



What resources will be available to assist schools in the implementation of the Dignity Act?

- **[NYSED Dignity Act Web Site](#)**
 - Model Code of Conduct
 - Model Curriculum Materials
 - FAQs (students/parents and faculty/staff)
- ***NYSED P-12 News and Notes Articles***
- **New York State Center for School Safety**
- **DASA@MAIL.NYSED.GOV**
- **[Dignity Act Facebook Page](#)**
- **[Dignity Act Public Outreach Forums](#)**
- **[Dignity Act Speakers @ Statewide Conferences](#)**



Who can schools contact for assistance with the Dignity Act?

- **NYS Education Department**
 - DASA@mail.nysed.gov
 - 518-486-6090
- **NYS Center for School Safety**
 - scss@ulsterbooces.org
 - 845-255-8989

R E S O U R C E G U I D E

If we could end hatred,

Imagine

what more we could do...



<http://regions.adl.org/new-york/pdfs/npfh-ny-resource-guide.pdf>