



# The Dignity for All Students Act: A Refresher

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September 5, 2017

# Dignity Act – Not “DASA”

- New York State Law: In effect 2012, amended 2013.
- Applies to all public schools (and charter schools required by law to have anti-bullying policies in place).
- To afford all students in public schools an environment free of harassment, bullying and discrimination.
- No student shall be subjected to harassment, bullying (including cyberbullying) or discrimination by **employees or students**.

# The Dignity Act Prohibits:

- **Harassment:** The creation of a hostile environment by conduct or by verbal threats, intimidation, or abuse.
- **Discrimination:** The denial of equal treatment, admission and/or access to programs, facilities and services based on the person's actual or perceived membership in a certain group or category.
- **Bullying:** Unwanted, aggressive behavior that involves a real or perceived imbalance of power.
- **Cyberbullying:** Cyberbullying is bullying that takes place using electronic technology.

# The Eleven-Named Protected Classes

*Nor shall any student be subjected to discrimination based on actual or perceived:*



• **Race** is a social construct that has been described as the group to which individuals belong, identify with or belong in the eyes of the community. *(National Center for Education Statistics)*

• **Color** apparent pigmentation of the skin.

• **Ethnic Group** socially defined classification based on common culture or nationality.

• **National Origin** the country of birth, origin or the country of origin of an individual's family. *(US Dept. of Justice)*

**Sexual Orientation** person's emotional & sexual attraction to others based on the gender of that person. (*Gay & Lesbian Alliance Against Defamation*)

**Gender** socially constructed system of classification that ascribes qualities of masculinity and femininity to people. (*GLAAD*)

**Sex** refers to physical/biological characteristics that defines males vs. females. (*WHO*)

**Religion** as either religious or spiritual belief of preference, regardless of whether this belief is represented by an organized group or affiliation with an organized group having religious or spiritual tenets. (United Nations)

**Religious Practice** religious observances or practices include attending worship services, praying, wearing religious garb or symbols, displaying religious objects, adhering to certain dietary rules, proselytizing or other forms of religious expression.  
(USEEOC)

(Disability and Weight are not separately defined.)

“Includes but is not limited to...”

- What are some examples of other possible classes?



# What are the thresholds?

- Interfering with educational opportunities or benefits;
- Interfering with physical, mental and/or emotional well-being;
- Causing fear for their physical safety and/or injury;

## Reporting of Incidents to Designee

Schools must appoint the superintendent, principal or a designee as the person who will receive reports of HBD.

School employees who witness or receive an oral or written report of harassment, bullying or discrimination shall:

**notify** the designated person **verbally** no later than one school day after witnessing/ receiving a report;

**file a written report** with the designated person no later than two school days after making the oral report

# Who to go to:

- Report to the Dignity Act Coordinator
  - Must be published in the Code of Conduct on each district website
  - Must be one full time in every building
  
- New York City: Report to the Respect for All Liaison

# Required school response

- End the behavior.
- Eliminate hostile environment.
- Create a more positive school culture and climate.
- Prevent recurrence of the behavior.
- Ensure safety of the targeted student/s.

# Scenario

Student Y is a Muslim ninth grade student who wears a hijab to school. Early on in the school year, several older students at her bus stop became fixated on her hijab and would continuously ask her to remove it. Y. told them “no,” but the students repeatedly insisted. During one of the Be Proud Be Responsible sessions, they began to touch Y’s hijab and trying to physically remove it. It is clear to you that Y is afraid.

Y is afraid for her physical, mental and/or emotional safety.  
Harassment is being based on her Religious Practice.

# Scenario

One of the male high school students that attends your program is being called “faggot” and “queer.” He laughs it off uncomfortably, but you can tell from his body language that he is upset by it. The classroom teacher says that it happens every day, and he shouldn’t be upset “because he isn’t really gay.”

“...Nor shall any student be subjected to discrimination based on actual or perceived” membership in one of the named protected classes.

# Scenario

During one of your sessions, a teacher starts to joke with one of the students saying things like “Oh, we know what you’ve been up to! We know about you and your family.” And other comments along those lines. The student comes up to you after class and says that they are going to ask to opt out of the sessions because the teacher does this all the time.

Dignity prohibits harassment, discrimination or bullying by employees; preventing this student from educational opportunity.

# Ways you can respond

- Group agreements
- Classroom teacher (school staff)
- Dignity Act Coordinator/Respect for All Liaison
- YOUR supervisor





Questions/Comments?

# Resources

- New York State Education Department
  - <http://www.p12.nysed.gov/dignityact/>
- New York City – Respect for All
  - <http://schools.nyc.gov/RulesPolicies/RespectforAll/default.htm>
- New York City Charter Schools
  - <http://www.nyccharterschools.org/resources/dignity-all-students-act-dasa>

Thank you!

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