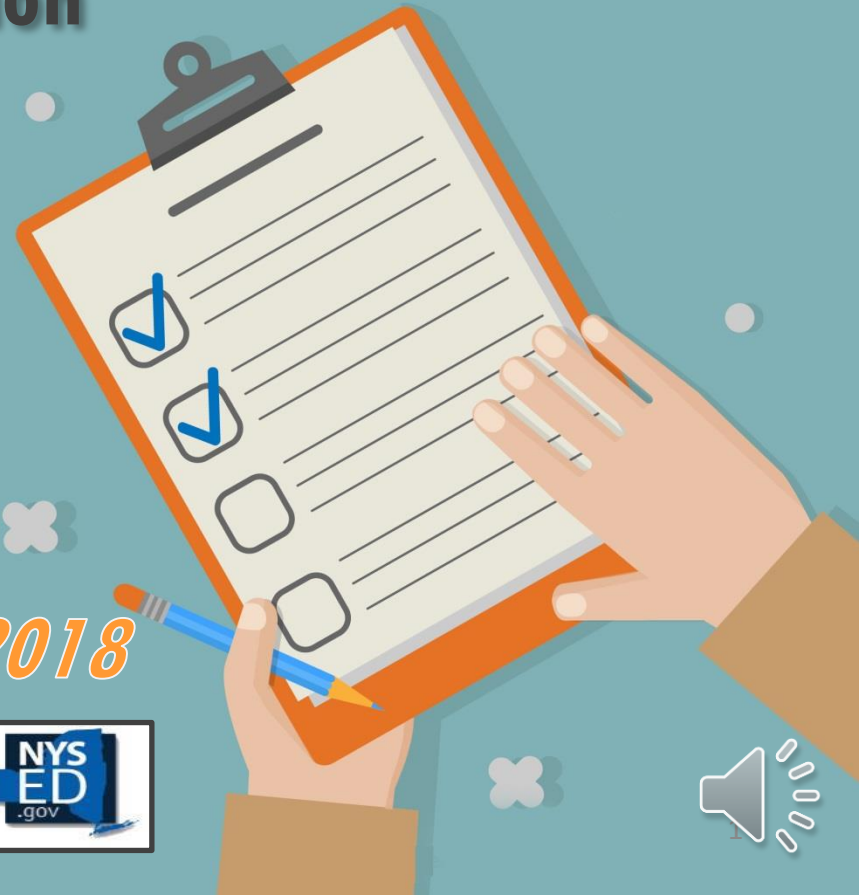


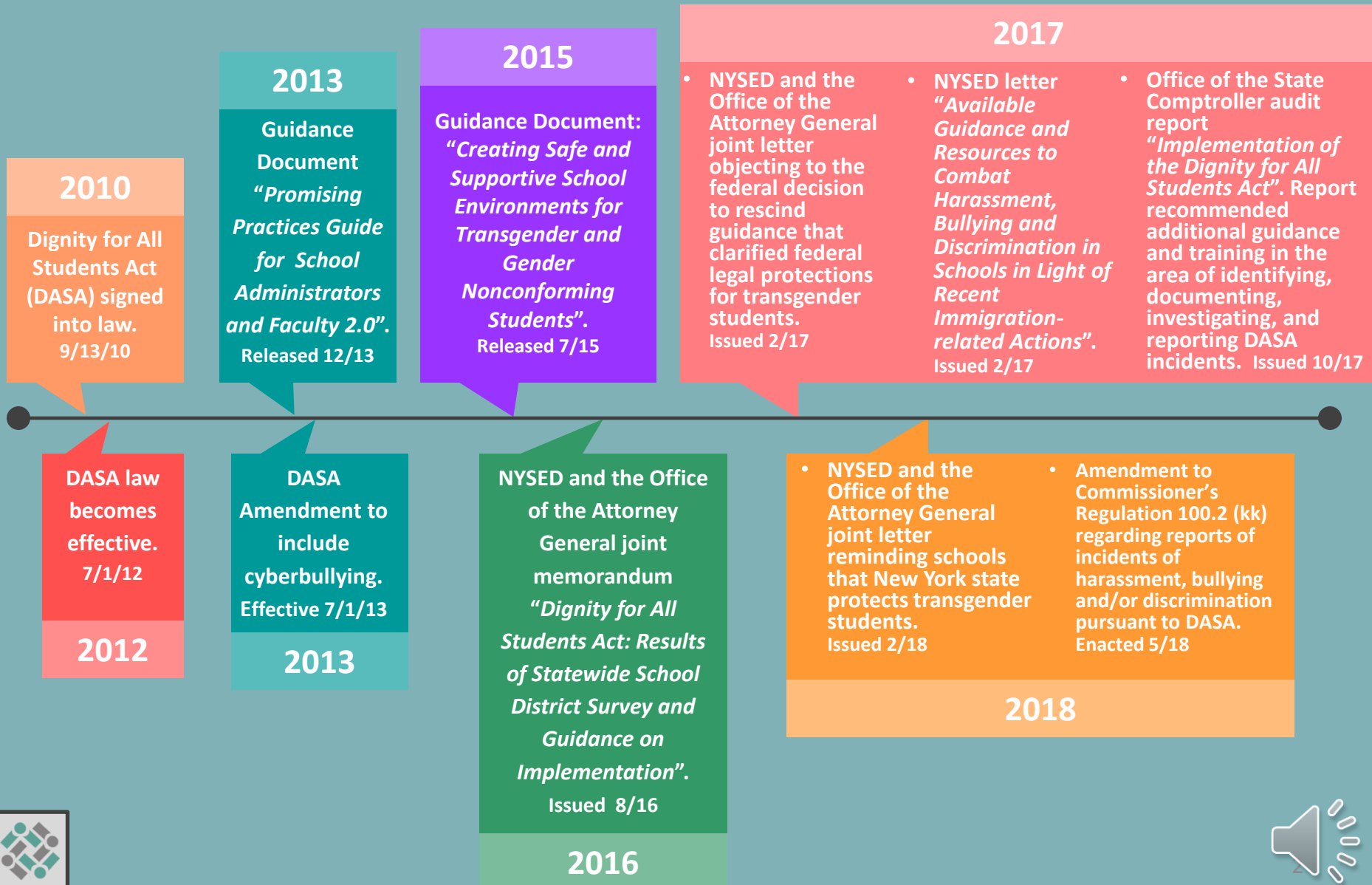
# *Amendment to the Commissioner's Regulations* *§100.2 (kk)*

**Regarding Reports of Incidents of Harassment,  
Bullying and/or Discrimination  
pursuant to the  
Dignity for All Students Act**

*Effective May 2018*



# DASA Timeline



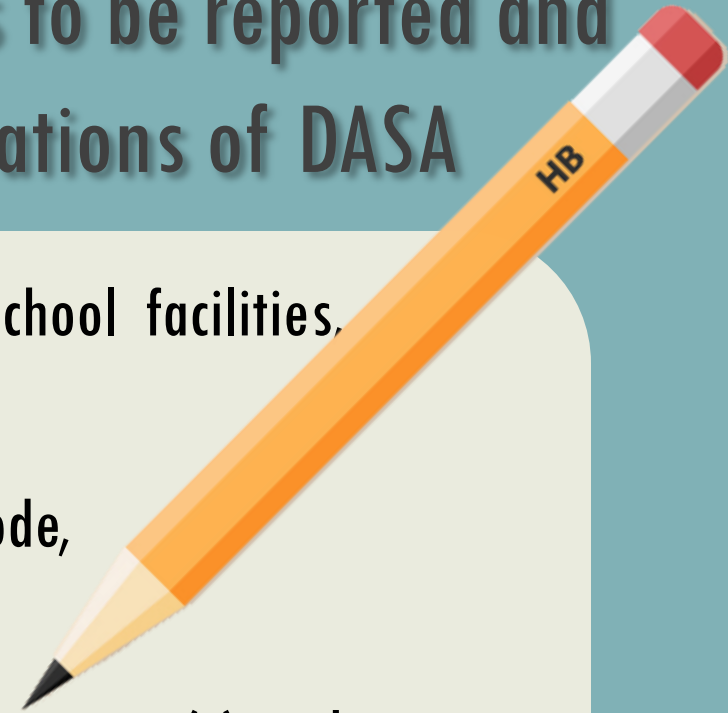
**May 2018: The following amendment was approved**

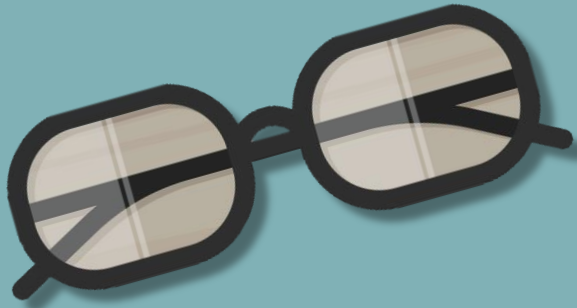
The Board of Regents amended §100.2(kk)(1) of the Commissioner's Regulations to add a new subparagraph (x) to include illustrative examples of the types of incidents of harassment, bullying and/or discrimination which must be **reported and investigated** as possible violations of DASA.



# Illustrative examples of incidents to be reported and investigated as possible violations of DASA

- ✓ A report regarding the denial of access to school facilities, functions, opportunities or programs
- ✓ A report regarding application of a dress code, specific grooming or appearance standards
- ✓ A report regarding the use of name(s) and pronoun(s) or the pronunciation of name(s)
- ✓ A report regarding any other form of harassment, bullying and/or discrimination based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (which includes gender identity and/or expression), or sex.





The amendment includes illustrative examples of the types of incidents that should be reported and investigated to include, but not be limited to, the following examples:



# Example #1:



A report regarding the denial of access to school facilities, functions, opportunities or programs including, but not limited to, restrooms, changing rooms, locker rooms, and/or field trips, based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (which includes gender identity and/or expression), or sex; or



## Example #2:



A report regarding application of a dress code, specific grooming or appearance standards that is based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (which includes gender identity and/or expression), or sex; or



## Example #3:

A report regarding the use of name(s) and pronoun(s) or the pronunciation of name(s) that is based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (which includes gender identity and/or expression), or sex; or





# Example #4:



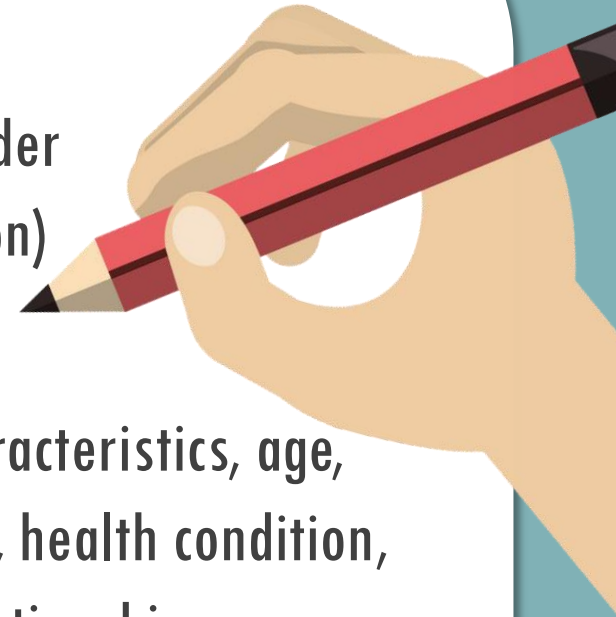
A report regarding any other form of harassment, bullying, and/or discrimination, based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (which includes gender identity and/or expression), or sex.



# Bias-related Categories from the NYSED School Safety and Educational Climate (SSEC) Glossary

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.)



# Next steps

- ✓ Approved as an emergency rule by the Board of Regents on May 8, 2018
- ✓ Public comment period for 60 days from May 23 – July 23, 2018
- ✓ The Board of Regents are reviewing submitted comments and will make a determination about permanent adoption which would be effective on October 3, 2018



# For more information

For more information on the Dignity for All Students Act please visit NYSED:

<http://www.p12.nysed.gov/dignityact/>

For more information on the amendment to Section 100.2(kk)(1) of the Commissioner's Regulations please visit:

<https://www.regents.nysed.gov/common/regents/files/518p12a4.pdf>



# To access further information:

**Guidance to School Districts for Creating a Safe and Supportive School Environment For Transgender and Gender Nonconforming Students (July 2015):**

[http://www.p12.nysed.gov/dignityact/documents/Transg\\_GNCGuidanceFINAL.pdf](http://www.p12.nysed.gov/dignityact/documents/Transg_GNCGuidanceFINAL.pdf)

**Dignity for All Students Act: Results of Statewide School District Survey and Guidance on Implementation (August 2016):**

<http://www.p12.nysed.gov/dignityact/documents/SED-AGLtrandGuidance8-31-16.pdf>

**Resources and Promising Practices Guide for School Administrators and Faculty (2017):**

<http://www.p12.nysed.gov/dignityact/documents/FINALDignityForAllStudentsActGuidanceDec2017.pdf>

**NY Attorney General And State Education Commissioner Elia Issue Reminder That New York State Protects Transgender Students (February 2017):**

<http://www.nysed.gov/news/2017/ag-schneiderman-and-state-education-commissioner-elia-issue-reminder-new-york-state>

**(February 2018):**

<http://www.nysed.gov/common/nysed/files/nysed-oag-joint-guidance-letter-2-28-18.pdf>



**If you have questions,**

**NYSED Student Support  
Services**

**518-486-6090**

**[www.p12.nysed.gov/sss/](http://www.p12.nysed.gov/sss/)**

**[SSEC@nysed.gov](mailto:SSEC@nysed.gov)**

**New York State  
Center for School  
Safety**

**844-509-7161**

**[www.nyscfss.org](http://www.nyscfss.org)**

**Thank you!**

