



Dignity for ALL Students

Climate Connection is a publication of the NYS Center for School Safety.

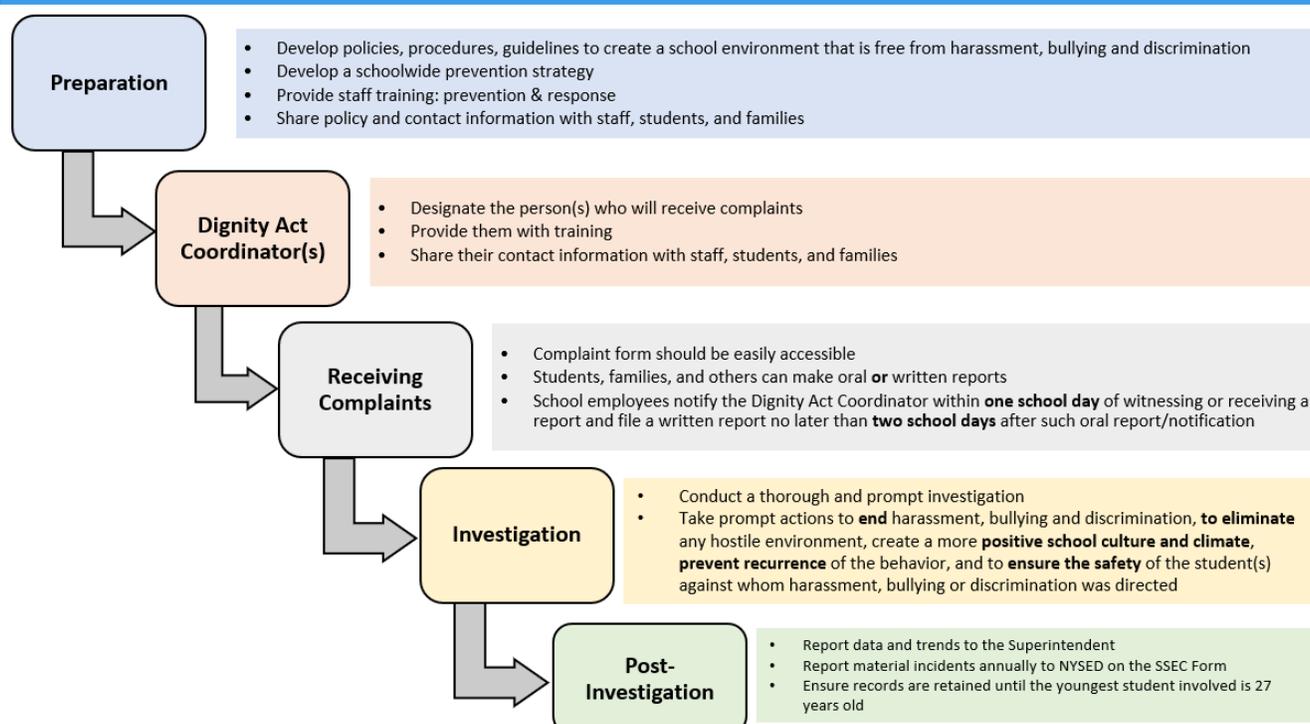
The Dignity for ALL Students Act, often referred to as “The Dignity Act” or “DASA,” is a NY state law intended to create a learning environment free of bullying, harassment and discrimination for all students. This is not an easy task. Implementation requires policies and procedures as well as intentional actions to create a safe and supportive school climate where all students know they are valued members of the school community.

PREVENTION AND RESPONSE

Effective prevention strategies must be undertaken **before** an incident occurs and should involve the entire school community – administration, staff, students, and caregivers – in schoolwide climate initiatives, relationship building activities, and actions to empower adult & student bystanders. To create a supportive climate, school staff must purposefully consider the words and actions they take when they receive a complaint, investigate, and provide support after the investigation. Our team at the NYS Center for School Safety is pleased to offer resources to support implementation of the Dignity for All Students Act. In this issue of Climate Connection we focus on strategies for conducting investigations after a complaint has been submitted to the school.



Implementation of the Dignity for All Students Act





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Conducting Investigations

The Dignity for ALL Students Act requires schools to designate and train at least one staff member as the Dignity Act Coordinator (DAC). Their training should include how to identify, mitigate, and address incidents of harassment, bullying, and discrimination and should include strategies for effectively addressing problems of exclusion, bias, and aggression. An essential aspect of the DAC's role is to receive complaints about incidents and to conduct an investigation that will seek to learn more about the incident.

Framing the Investigation	Example Questions	Closing Remarks & Actions
<p>I am going to ask you some questions about a reported [identify the kind of] incident.</p> <p>Please answer the questions the best you can.</p> <p>We will keep your answers anonymous as much as possible.</p> <p>I'm here to help, so please let me know if you are uncomfortable answering any of the questions.</p>	<p>Could you please describe what happened?</p> <p>Who was involved?</p> <p>Please tell me how long this has been happening, or if it has happened before.</p> <p>Was anyone hurt or scared? How are you now?</p> <p>Please tell me how this has affected you while you are at school.</p> <p>Are there other people who might be able to help me understand this incident?</p> <p>Is there anything else you can/want to share with me about this incident?</p>	<p>Thank you for sharing this information.</p> <p>Please come to me or to _____ (insert staff names) if anything else happens or if you feel unsafe.</p> <p>The next steps we will take at the school are: (Also indicate if parents/persons in parental relation will be contacted)</p>

Tips

- A supportive interview protocol can help you ask questions to determine what happened, who was involved, and the impact of the incident on the targeted student.
- Conduct the investigation in a trauma-responsive manner that conveys support & safety for your students.
- Establish a clear and consistent timeline for conducting investigations, and methods for communicating with students & caregivers throughout the investigation.

A common misunderstanding is that the investigation is undertaken to determine a "perpetrator" or "aggressor."

The goal of the investigation should be to determine the impact of the incident on the targeted student and to provide a trauma-informed and supportive response.





CLIMATE CONNECTION

Information and strategies
linking Climate and School Safety.

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SUPPORTING STUDENTS AFTER THE INVESTIGATION

Tips

- Provide your DAC name and contact information to students, staff, and parents/caregivers in various ways throughout the school year.
- Consider the benefits of sharing the DAC responsibilities by designating multiple people from different roles & backgrounds.
- Consider your school's messaging and how it can encourage students to feel safe & empowered to report incidents.
- Consider how parents/caregivers can be informed throughout the process and how to reassure them that their students are safe, and the school is working to ensure their safety.
- When parents/caregivers hear that an incident is not founded or not a material incident, they may interpret this as the school saying the incident didn't occur. Consider how your communication conveys reassurances that students are safe, and the school and staff are doing everything possible to ensure their student's safety.

In addition to the impact of the incident on the targeted student, the Dignity Act Coordinator must determine if the incident is considered a "material incident of harassment, bullying, cyberbullying, and/or discrimination."

The definitions included in the Dignity Act are different from definitions provided by national organizations. By using the NYS definitions, schools can avoid common misunderstandings and confusion.

NYS law and NYS Commissioner Regulations are clear that when an incident is verified as material the school shall take prompt action, consistent with the district's code of conduct, 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.

A common misunderstanding of The Dignity Act is that it requires punishment or suspension for the student who caused the incident.

*Punishment or suspension **is not required** by the Dignity Act.*

As per the NYS Commissioner Regulations, each district's Code of Conduct should outline their response to incidents. The Code should provide progressive student discipline that is measured, balanced, and age appropriate. The remedies should address prevention, education, intervention, and discipline, and should consider the nature and severity of the behavior and the impact on the student who was physically injured and/or emotionally harmed.

*If enacted alone, a disciplinary response for the aggressor **does not** prevent recurrence or ensure the safety of the targeted student.*

An investigation may not always confirm a material incident; this does not mean the incident did not occur. If a complaint has been made, there is an underlying issue that should be addressed. All students deserve to feel safe and supported in their school environment and there are action steps that can be taken to ensure the student's safety *regardless of the outcome of an investigation.*

By considering the impact of the incident on the student, you can develop an individualized and supportive response that will help the student know they are safe in your school. Inform and involve key staff members about the situation so they know what to look for and how to respond.

Effective prevention and response strategies can create a safe and supportive school climate where all students know they are valued members of the school community.