



The New York State Center for School Safety
Providing support to schools, families, and communities

The Dignity for All Students Act (DASA)

**Tool for Training School Employees,
Instructional, and Non-Instructional Staff**

Please use this as a guide for developing your training process

August 2022



New York State Education Department



New York State Center for School Safety



Dignity for All Students Act (DASA)

❖ Please use this training to understand:

- Definitions of Key Terms
- Reporting Requirements
- How to Respond to Incidents
- Contact Information





Dignity for All Students Act (DASA)

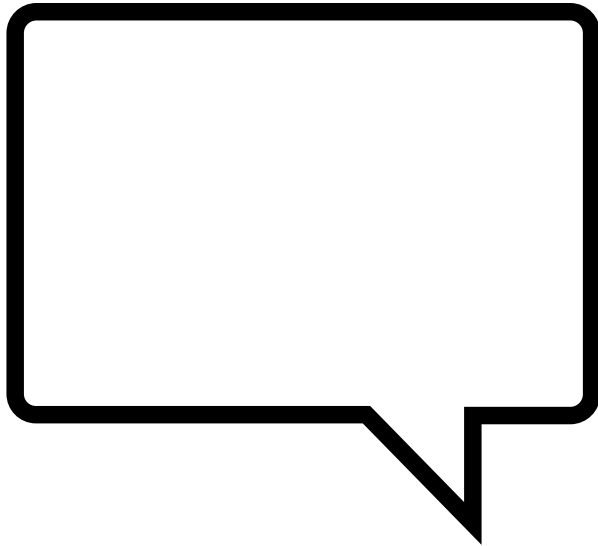
❖ Key Questions for DASA Implementation

- What is your school/district DASA policy?
- Who is/are your DASA coordinator(s)?
- Where is your DASA complaint form posted?
- Can a DASA complaint be made anonymously?





The Dignity for All Students Act



Please Pause to Discuss





What is DASA?

The Dignity for All Students Act (DASA) was established to protect all students from harassment, bullying, and discrimination.





Legislative Intent of DASA

“The legislature finds that **students’ ability to learn and to meet high academic standards, a school’s ability to educate its students are compromised by incidents of discrimination or harassment including bullying, taunting, or intimidation...**”

NYS Ed. Law Article 2 § 10





Legislative Intent *(continued)*

“It is hereby declared to be the policy of the state to afford all students in public schools an environment free of discrimination and harassment.

The purpose of this article is to foster civility in public schools and to prevent and prohibit conduct which is inconsistent with a school’s educational mission.”

NYS Ed. Law Article 2 § 10





The Effects of Bullying and Harassment

- 1 in 5 kids experience bullying (NCES, 2019)
- 5.4 million students skip school at some point each year due to bullying (NCES, 2019)
- 9 out of 10 LGBTQ+ students experience harassment in school (NCES, 2019)
- More than 1/3 of adolescents reporting bullying report bias-based school bullying (CDC, 2019)
- Students who experience bullying are at increased risk for depression, anxiety, sleep difficulties, lower academic achievement, and dropping out of school. (CDC, 2019)

[Center for Disease Control, 2019](#)

[National Center for Educational Statistics, 2019](#)





The Dignity for All Students Act

Prohibits bullying, harassment, discrimination, or cyberbullying. Includes, **but is not limited to**, those acts based on a person's actual or perceived:

- Race
- Color
- Weight
- National Origin
- Ethnic Group
- Religion
- Religious practice
- Disability
- Sexual Orientation
- Gender (**including gender identity and expression**)
- Sex

NYS Ed. Law Article 2 § 11





Definitions

Harassment or bullying means the creation of a hostile environment **by conduct or by threats, intimidation or abuse**, including cyberbullying that either:

CR 100.2(jj)(1)(viii)





Definitions (continued)

a.) has or would have the effect of unreasonably and sustainably interfering with a student's educational performance, opportunities or benefits, and/or mental, emotional and/or physical well being; including conduct, threats intimidation or abuse that reasonably causes or would reasonably be expected to cause emotional harm; or

CR 100.2(jj)(1)(viii)





Definitions (continued)

b.) reasonably causes or would reasonably be expected to cause **physical injury** to a student or **cause a student to fear** for his or her physical safety;

CR 100.2(jj)(1)(viii)





Definitions (continued)

- ❖ **Threats, intimidation, or abuse** shall include verbal and non-verbal actions.
- ❖ **Emotional harm** that takes place in the context of harassment, bullying, or cyberbullying means harm to a student's emotional well-being through creation of a hostile environment that is so severe or pervasive as to unreasonably and sustainably **interfere with a student's education**.

CR 100.2(jj)(1)(viii)





Definitions (continued)

Acts of harassment, bullying, or cyberbullying can occur:

- On school property
- At a school function
- Off school property

Where such acts create or would foreseeably create a risk of sustainable disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation, or abuse might reach school property.

CR 100.2(jj)(1)(viii)





Definitions

Cyberbullying occurs when harassment or bullying happens through any form of electronic communication.

What different forms can cyberbullying take?

What different communication/apps/etc. might be used?



NYS Ed. Law Article 2 § 11



What are examples of bullying and harassment?

Overt

- ❖ Verbal
- ❖ Physical

Covert

- ❖ Relational/Social
- ❖ Cyberbullying
- ❖ Can also be verbal and physical

How might some bullying and harassment be covert?

How might it be recognized?





Definitions

Material incident of harassment, bullying, and/or discrimination

A single verified incident or a series of unrelated verified incidents where a student is subjected to harassment, bullying, and or discrimination by a student and/or employee

CR 100.2(kk)





DASA Reporting Requirements: Illustrative Examples

A report of *harassment, bullying, and/or discrimination* may include, but is not limited to, the following examples:

- a. 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**, or
- b. A report regarding **application of a dress code, specific grooming, or appearance standards**, or
- c. A report regarding the **use of name(s) and pronouns(s) or the pronunciation of name(s)**, or
- d. 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 expression), or sex.

CR 100.2(kk)(1)(x)





The CROWN Act



The CROWN Act

Amendment to the Dignity for All Students Act in 2019 to add definitions:

- **Race** shall include traits historically associated with race, including, but not limited to, **hair texture and protective hairstyles**
- **Protective hairstyles** shall include, but are not limited to, such hairstyles such as **braids, locks, and twists**.

NYS Ed Law Article 2 § 11, CR 100.2 (kk)





The CROWN Act- Illustrative Examples

Additional illustrative examples of discrimination based on natural hair or hairstyles include a report regarding:

- **Punishment,**
- **Differential treatment** or humiliation of a student, or
- **Exclusion of a student** from a school function, athletic team or school yearbook, based on hair texture or protective hairstyle,
- **The request to alter or actual alteration** of a protective hairstyle

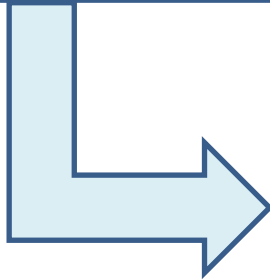
NYS Ed Law Article 2 § 11, CR 100.2 (kk)



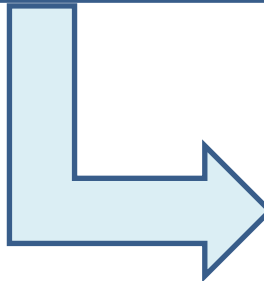


DASA Requirements: Staff Reporting of Incidents/Complaints

Staff witnesses an incident and/or receive a complaint



Required to orally report the incident(s) within one (1) school day to the principal, superintendent, or their designee



Report it in writing within two (2) school days after making an oral report.

Who is your Dignity Act Coordinator?
To whom do you report incidents?
Does your school have a DASA form?
Where can anyone find the DASA complaint form?

Source: CR 100.2(kk)(2)





Receiving Incidents/Complaints

Complaint Received

DASA Incident Reporting Form should be easily accessible to parents, students, and staff on the school/district website.

All school employees, students, and parents must receive a copy of the reporting process at least annually.

Review your reporting process and identify potential points of ambiguity.

How can these instances be clarified in your process/policy?





After the Report: Investigation





The Dignity for All Students Act

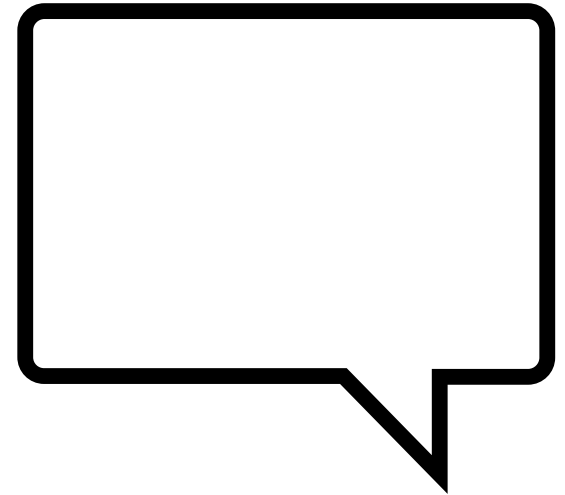
DASA prohibits retaliation against any individual who reports or assists in the investigation of harassment, bullying, cyberbullying or discrimination.





Do you know...

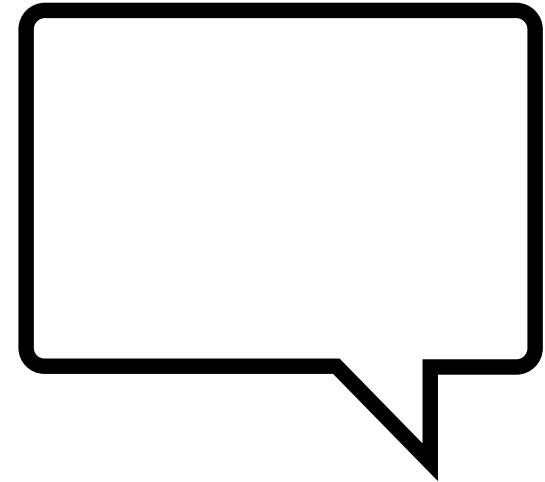
- What is your school DASA policy?
- Who is your DASA Coordinator?
- Where is your DASA complaint form posted?
- Can DASA complaints be made anonymously?





Do you know...

- What should you do if you witness harassment, bullying, and/or discrimination?
- What should you do if you receive an oral or written report of harassment, bullying, and/or discrimination?





DASA Legislation: Verified Material Incident

- ❖ Require that school take prompt actions reasonably calculated to:
 - end the harassment, bullying or discrimination,
 - eliminate the hostile environment,
 - create a more positive school culture and climate,
 - prevent recurrence of the behavior, and
 - ensure the safety of the student

- ❖ Include a **school strategy to prevent harassment, bullying, and discrimination**

NYS Ed Law Article 2 § 13 (1)(e)(g), CR (kk)(2)(v)





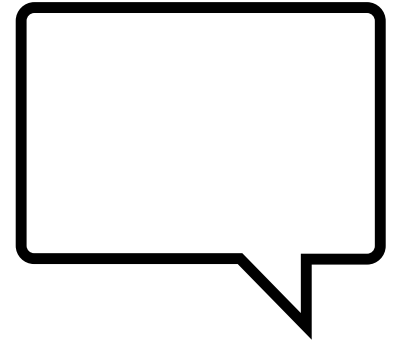
Additional Considerations

- Sometimes, an investigation is unable to confirm a material incident of harassment, bullying, and/or discrimination.

In what ways can you support students, even when an incident cannot be designated a material incident?

- How can parents be informed throughout this process?

How can these communications be presented to reassure parents that their students are safe, and you are doing everything you can to ensure their safety?





Prevention Begins Long Before an Incident Occurs





The Dignity for All Students Act

Suggestions for responding to student concerns:

- ❖ Listen. Listen. Listen
- ❖ Do not dismiss or make quick judgments
- ❖ Welcome and affirm complaints
- ❖ Express concern for student safety
- ❖ Express determination to keep students safe
- ❖ Explain steps that will be taken
- ❖ State that parents may need to be informed





The Dignity for All Students Act

What can be done to support students:

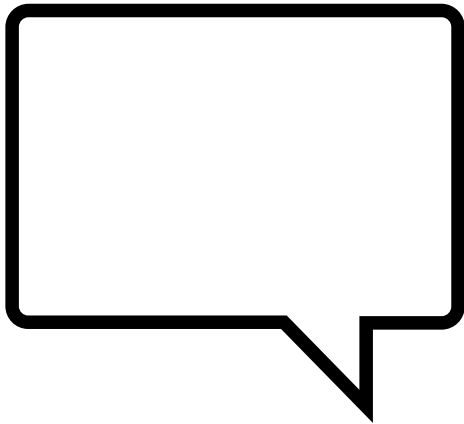
- ❖ Express concern for student who was targeted
- ❖ Regular check-ins
- ❖ Increased supervision
- ❖ Speak to student who possibly bullied and put on notice
- ❖ Increase staff awareness
- ❖ Clear directions for whom to report to
- ❖ Enlist support from other students
- ❖ Communicate. Communicate internally the plan to protect and support the student who was targeted





Additional Considerations

“The purpose.. is to foster civility in public schools and to prevent and prohibit conduct which is inconsistent with a school’s educational mission.”



- How does your school community work together to prevent bullying, harassment and discrimination?
- How does your school communicate internally?
- How does your school communicate with students and their families?





Contact Information

NYSED Office of Student Support Services

518-486-6090

ssec@nysed.gov

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

New York State Center for School Safety

844-897-9567

www.nyscfss.org

