The Dignity for All Students Act:

Scenarios for Everyday Implementation

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March 2025

Welcome! We are glad you're here!

The New York State Center for School Safety

New York State EDUCATION DEPARTMENT
Knowledge > Skill > Opportunity

Session Agenda

❖ Introduction to the the technical and adaptive challenges of implementing the Dignity Act

❖ Small Group Scenario Exercises

- How to support students when there is no evidence of a material incident
- How to engage and communicate with parents
- Addressing misconceptions around reporting

❖ Debrief Closing Activity

Session Outcomes

❖ This session is designed to support you, your school, and your district with Dignity Act implementation.

❖ We will guide you through a series of scenarios to help troubleshoot implementation challenges.

❖ Your role is challenging. Challenges provide opportunities.

Poll:

- I am **NOT** a Dignity Act Coordinator (DAC).
- I am a DAC and this is my first year.
- I am a DAC and have been for 2-5 years.
- I am a DAC and have been for 6-10 years.
- I am a DAC and have been for 11+ years.

The Dignity for All Students Act

Legislative Intent:

"... To afford all students in public schools an environment free of discrimination and harassment.

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

Ed. Law Article 2 Section 10
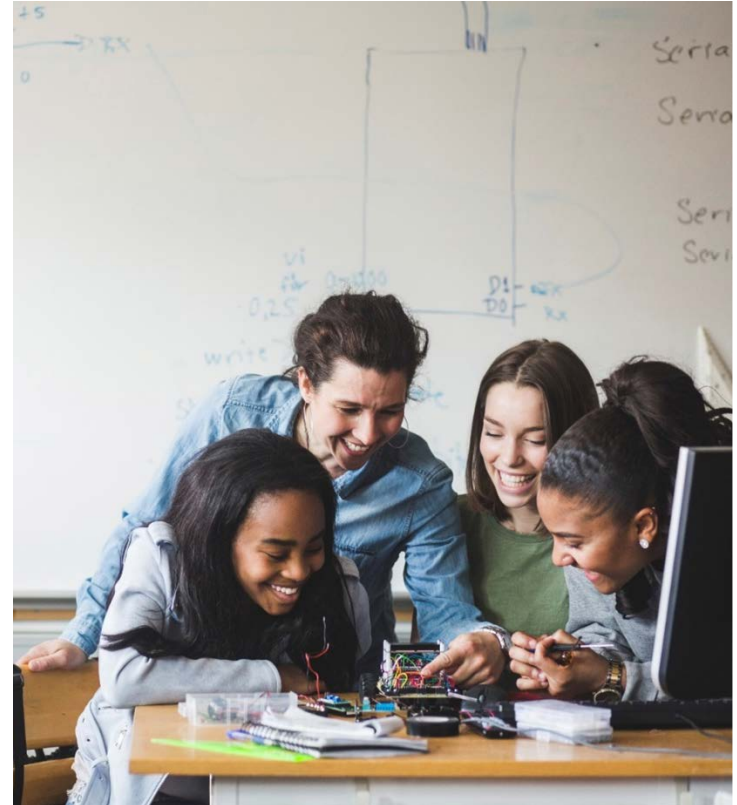
The Dignity for All Students Act

Hallmarks of an environment that honors dignity:

❖ Respect is unconditional.

❖ Dignity and respect are not merit based.

❖ All identities are accepted and affirmed.

❖ Schools are places where all students feel that they belong.

Beware of False Dichotomy:

Treating all students with respect does not mean removing accountability for behaviors in conflict with the rules and expectations of the school.

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Two compatible responses to the Dignity Act:

❖ Set rules and limits for behaviors.

❖ Promote positive and respectful norms of behavior for all members of school community.

What do we mean? Technical vs. Adaptive

Technical Solutions

❖ Fix or improve the current system

❖ Processes and procedures

❖ Use solutions that have worked for similar problems

❖ Usually, a relatively quick fix

❖ Bring order and predictability

Adaptive Solutions

❖ Change mindsets

❖ Consider people's needs and how they interact

❖ Require new and different ideas

❖ Require ongoing attention and analysis

❖ Challenge the status quo

No Evidence

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Dignity Act requirements differ from traditional discipline approaches:

- ❖ Many behaviors are not detectable by adults.
- ❖ Perception of students must be taken into account.
- ❖ Focus on protecting students, and less on applying consequences to rule breakers.
- ❖ Successfully responding to individual incidents is not sufficient.
- ❖ Holistic/systemic environment issues must be addressed.

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Interpreting Complaints

❖ Context is not just important - *it's everything.*

❖ Perceptions and intentions must be taken into account.

Bullying is in the Blind Spot of Adults

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Why begin with the term "mistreatment" rather than bullying or harassment?

❖ Mistreatment avoids prejudging vocabulary and relying on assumptions and judgments about students.

❖ Creates a more open mind for gathering information about incidents.

❖ It will give you data that will help establish positive norms.

Matrix Variables

Clarity of Offensiveness:

Blatant ⟵ ⟶ Ambiguous

Intent:

Unintentional ⟵ ⟶ Deliberate

Matrix/Guide for Determining Material and Deciding Upon Response

Intent

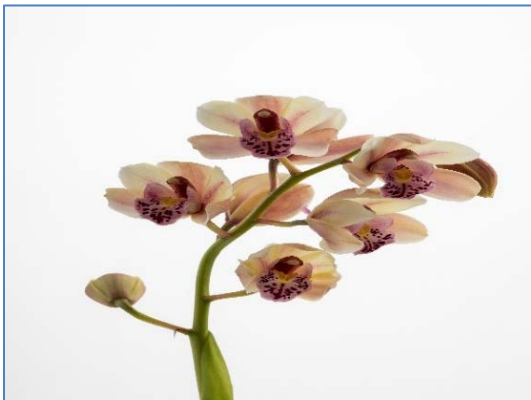| Unintentional ⟵⟶ Deliberate		Clarity
Off hand derogatory comments. Directed towards no one but overheard. E.g., "That's so gay." **1**	**2** Directed derogatory remarks/insults	Blatant Clearly Offensive
3 Jokes with no derogatory comments, but could be taken the wrong way by some	**4** Directed remarks toward someone with no offensive words but offensive tone. E.g., "Cool dress you have there."	Ambiguous

Matrix/Guide for Determining Material and Deciding Upon Response

Intent

Unintentional ⟷ **Deliberate**

Clarity

Off hand derogatory comments. Directed towards no one but overheard. E.g., "That's so gay". • *Not witnessed or heard by staff* • *Can be easily dismissed* • *Teachable Moments* 1	Directed derogatory remarks/insults • *Usually requires a disciplinary response following staff intervention* 2
3 Jokes with no derogatory comments, but could be taken the wrong way by some • *Not witnessed or heard by staff* • *Can be easily dismissed* • *Related to the vulnerability of some students* • *Teachable Moments*	4 Directed remarks toward someone with no offensive words but offensive tone. E.g., "Cool dress you have there." • *Not witnessed or heard by staff* • *Often requires clarification and warning regarding future occurrences* • *Teachable Moments*

Blatant

Clearly Offensive

Ambiguous

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Using Research on Resilience to Understand Context:

Orchids
Very special conditions

Tulips
Typical conditions

Dandelions
Any conditions

Assessing the Impact on the Student

Fearful/School Avoidance

Anxious for most of the school day

Anxious in certain locations and times

Anxious in presence of person who mistreated

Anxious only at the time of the incident
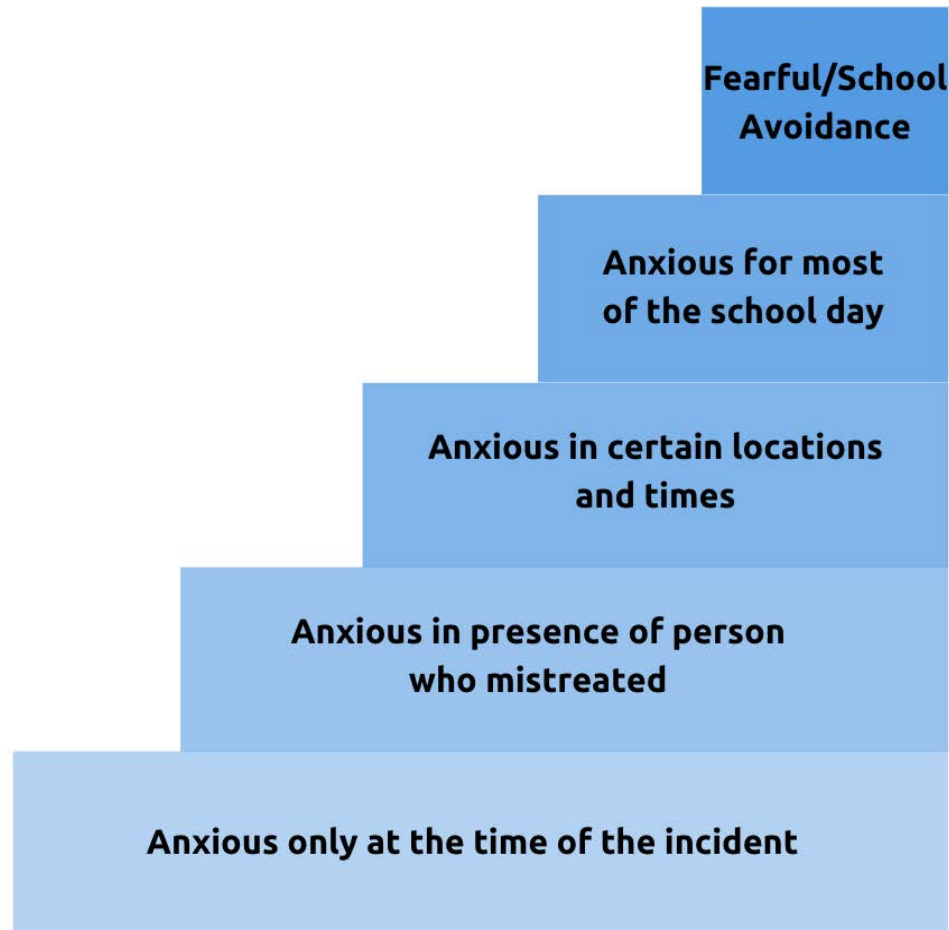
Breakout Room Norms

- There will be 4 breakout room sessions.
- Please begin by briefly introducing yourself.
- Identify a spokesperson for your breakout group.
- Share your knowledge and experience with your colleagues!
- Tip: the timer in the breakout room will alert you when it is time to return to the main room.

Scenario: No Evidence

A student comes to you in distress. They have recently requested to be identified by different pronouns and name to better fit their gender identity.

The student claims a group of students were intentionally and repeatedly using their **dead name*** and incorrect pronouns and have been doing so since the beginning of the year.

Upon investigation, both the students and teachers who witnessed the incident report that this was not malicious but, in fact, an honest mistake.

The birth name of a transgender person who has changed their name as a part of their transition

Breakout Room

Objectives

What (if anything) can be done to support the gender-diverse student?

What might be a good educational response/approach to address the root of the incident?

Would your team be able to designate this as a material incident?

What more info might you need to make this determination?

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Guidelines for Responding to Student Complaints:

❖ 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.

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What can be done with a lack of evidence:

❖ Express concern for the student who was targeted.
❖ Provide regular check-ins.
❖ Increase supervision.
❖ Speak to the student who possibly bullied.
❖ Increase staff awareness.
❖ Provide clear directions for how to report concerns.
❖ Enlist support from other students.
❖ Communicate your plan to protect and support the student who was targeted.

Family Engagement

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Guidelines for Responding to Parental Complaints:

Practice [TEA Time](#)

Practice: *don't leave your response to chance*

- ❖ T = Thank
- ❖ E = Empathize
- ❖ A = Acknowledge/Ask

Time: *don't shortchange and be clear about timeline*

Scenario: Family Engagement

You receive a call from a parent who is very upset. They begin the call by yelling about how their child is continually harassed by a group of students in the afterschool program and accuses the team of not caring or doing anything. They give the names of two students they believe to be the source of the problem and demand that they are suspended.

You are familiar with this parent's daughter. She is known as a bit of a troublemaker and other staff report that they believe she has instigated at least some of these incidents, instead of simply being the targeted student.

Breakout Room

Objectives

After this call, how can this parent be sure that you will make a good faith effort to protect their child?

What can be done to support and communicate better with this family moving forward?

Please consider the location and accessibility of your Dignity Act forms and coordinator.

Scenario: Family Engagement

A Muslim student is brought into your office. She was seen by several adults and students in the building pushing another student into a locker and punching them in the face.

This student has been in your office before to report the other student and their friends of taunting her for weeks, pulling at her hijab, and calling her racial slurs.

Breakout Room
Objectives:

Create a communication plan for the parents of all students involved.

Please account for:
-The initial investigation
-What if it is found to be a material incident?
-What if it is not found to be a material incident?
-Next Steps and Supports

What role might your Code of Conduct play in this scenario?

Scenario: Misconceptions around Reporting

A white, male student tells one of his teachers that he thinks he is being cyberbullied.

Specifically, other male students have been saying that he has a "punchable face" on Snapchat. This student now feels afraid to attend some of his classes and has been skipping to avoid these students.

Breakout Room

Objectives:

What reporting responsibilities does this teacher have?

What investigative steps might your team take?

Could this be labeled a material incident under The Dignity Act?

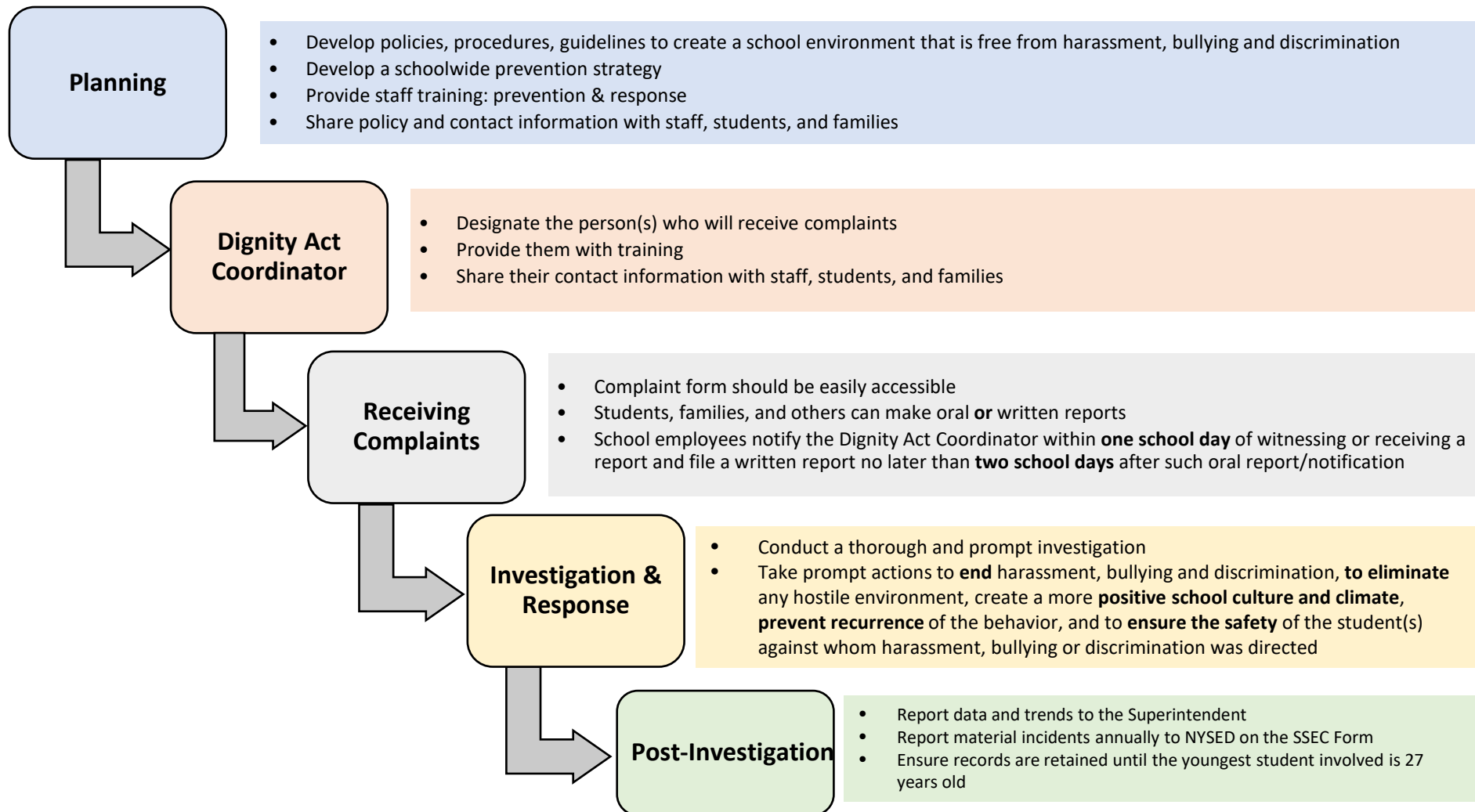| Criminal Justice Approach	Educational Approach
Traditional discipline used-rules/consequences	Traditional still in place but supported by climate and culture
Responds to incident after it happens	Emphasizes preventing incident
People in leadership are enforcers	Needs shared leadership
Concerned with student who bullies/harasses and target of it	Focus on all students
Responds to limits being exceeded	Focus on behavior within limits
Doesn't involve teaching social skills	Tries to give students skills to be successful
Requires evidence to ascertain perpetrator	Can address problem and help students without being dependent on evidence
Lack of applying consequences can be perceived as doing nothing	Many steps can be taken to address problems
May decrease likelihood of bystanders reporting	May increase likelihood of bystanders reporting
It's about stopping a negative	It's about promoting positive skills

Implementation of the Dignity for All Students Act

Planning
- Develop policies, procedures, guidelines to create a school environment that is free from harassment, bullying and discrimination
- Develop a schoolwide prevention strategy
- Provide staff training: prevention & response
- Share policy and contact information with staff, students, and families

Dignity Act Coordinator
- Designate the person(s) who will receive complaints
- Provide them with training
- Share their contact information with staff, students, and families

Receiving Complaints
- Complaint form should be easily accessible
- Students, families, and others can make oral **or** written reports
- School employees notify the Dignity Act Coordinator within **one school day** of witnessing or receiving a report and file a written report no later than **two school days** after such oral report/notification

Investigation & Response
- Conduct a thorough and prompt investigation
- Take prompt actions to **end** harassment, bullying and discrimination, **to eliminate** any hostile environment, create a more **positive school culture and climate**, **prevent recurrence** of the behavior, and to **ensure the safety** of the student(s) against whom harassment, bullying or discrimination was directed

Post-Investigation
- Report data and trends to the Superintendent
- Report material incidents annually to NYSED on the SSEC Form
- Ensure records are retained until the youngest student involved is 27 years old

Implementation of the Dignity for All Students Act

New York State Center for School Safety

DIGNITY FOR ALL STUDENTS ACT
Implementation Resource List
OCTOBER 2022

www.nyscfss.org

Implementation

Each district must implement policies, procedures, and guidelines intended to create a school environment that is free from harassment, bullying, and discrimination, that include but are not limited to provisions which:

Requirement	Considerations	Resources to Support Implementation

https://www.nyscfss.org/_files/ugd/60b30b_001c49dbcab5415e8112c891b2421242.pdf

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- What was new information?

- What are you already doing?

- What is one next step for your district/school?

For more information

New York State Education Department
Office of Student Support Services
518-486-6090
NYSED Dignity Act website
SSEC@nysed.gov

New York State Center for School Safety
844-897-9567
Center for School Safety website
nyscenterforschoolsafety@measinc.com

Thank you for joining us!

Please complete an [evaluation](#) for our session today

Please include ideas for resources or additional training!

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