

South Bronx Charter School for International Cultures and the Arts

Dignity for All Students Policy

The New York State Dignity for All Students Act (Dignity Act): A Resource and Promising Practices Guide for School Administrators and Faculty was developed by the Dignity Act Task Force to assist schools in implementing the Dignity for All Students Act and can be found on the NYSED website.

ICA Promise:

No student shall be subjected to harassment or bullying by employees or students on school property or at a school function; nor shall any student be subjected to discrimination 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 or expression), or sex by school employees or students on school property or at a school function.

Respect for all:

All pupils have the right to attend schools that are safe, secure, and peaceful environments. The Board recognizes that discrimination, such as harassment, hazing and bullying, are detrimental to student learning and achievement. These behaviors interfere with the mission of the South Bronx Charter School for International Cultures and the Arts to educate its students and disrupt the operation of the school. Such behavior affects not only the students who are its targets but also those individuals who participate and witness such acts.

Bullying in schools has historically included actions shown to be motivated by a pupil's actual or perceived race, color, religion, national origin, ancestry or ethnicity, sexual orientation, socioeconomic status, age, physical, mental, emotional, or learning disability, gender, gender identity and expression, obesity, or other distinguishing personal characteristics, or based on association with any person identified in any of the above categories.

The Board prohibits all forms of discrimination, such as harassment, hazing and bullying on school grounds, school buses and at all school-sponsored activities, programs and events. Discrimination, harassment, hazing or bullying that takes place at locations outside of school grounds which can be reasonably expected to materially and substantially interfere with the requirements of appropriate discipline in the operation of the school or impinge on the rights of other students are prohibited, and may be subject to disciplinary consequences.

Curriculum and Instruction the development of a school environment free of harassment, discrimination and bullying, Instruction must take into account The Dignity Act of New York State Education Law regarding instruction in civility, citizenship, and character education by expanding the concepts of tolerance, respect for others and dignity to include: an awareness and sensitivity in the relations of people, including but not limited to, different races, weights, national origins, ethnic groups, religions, religious practices, mental or physical abilities, sexual orientations, gender identity, and sexes. The Dignity Act further amended Section 2801 of the Education Law by requiring Boards to include language addressing The Dignity Act in their codes of conduct.

The following explains the meaning and clarification of important terms discussed in the NY State Dignity Act:

Bullying is understood to be a hostile activity which harms or induces fear through the threat of further aggression and/or creates terror. In order to facilitate implementation of this policy, provide meaningful guidance and prevent behaviors from rising to a violation of law, this policy will use the term bullying (which is usually subsumed under the term “harassment”) to describe a range of misbehaviors such as harassment, hazing, intimidation or discrimination. The accompanying regulation provides more guidance regarding the definition and characteristics of bullying.

Discrimination is the act of denying rights, benefits, justice, equitable treatment or access to facilities available to all others, to an individual or group of people because of the group, class or category to which that person belongs (as enumerated in the *Definitions* section, under Harassment, below).

Hazing is an induction, initiation or membership process involving harassment which produces public humiliation, physical or emotional discomfort, bodily injury or public ridicule or creates a situation where public humiliation, physical or emotional discomfort, bodily injury or public ridicule is likely to occur.

Harassment has been defined in various ways in federal and state law and regulation. The Board recognizes that these definitions are important standards, but the Board’s goal is to prevent misbehavior from escalating in order to promote a positive school environment and to limit liability. The Dignity for All Students Act (§§10-18 of Education Law) defines harassment as the creation of a hostile environment by conduct or by verbal threats, intimidation or abuse that has or would have the effect of unreasonably and substantially interfering with a student’s educational performance, opportunities or benefits, or mental, emotional or physical well-being; or conduct, verbal threats, intimidation or abuse that reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety. The harassing behavior may be based on any characteristic, including but not limited to a person’s actual or perceived: race, color, weight, national origin, ethnic group, religion religious practice, disability, sex, sexual orientation, or gender (including gender identity and expression).

Cyberbullying will be defined as harassment or bullying by any form of electronic communication, and include incidents occurring off school property that create or would foreseeably create a risk of substantial disruption within the school environment.

**In some instances, bullying or harassment may constitute a violation of an individual’s civil rights.

Prevention

The school setting provides an opportunity to teach children, and emphasize among staff, that cooperation with and respect for others is a key value at the South Bronx Charter School for International Cultures and the Arts. A program geared to prevention is designed to not only decrease incidents of bullying but to help students build more supportive relationships with one another by integrating the bullying prevention program into classroom instruction. Staff members and students will be sensitized, through professional development and instruction, to the warning signs of bullying, as well as to their responsibility to become actively involved in the prevention of bullying before overt acts occur.

In order to implement this program the Principal will designate a ***Dignity Act Coordinator*** on an annual basis. The role of the **coordinator** is to handle human relations in the areas of: race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, and sex. Employees must receive training to raise awareness and sensitivity to potential acts of discrimination and/or harassment and to enable employees to prevent and respond to incidents of discrimination and harassment. Lastly, the program will include reporting, investigating, remedying and tracking allegations of bullying.

Intervention

Intervention by adults and bystanders is an important step in preventing escalation and resolving issues at the earliest stages. Intervention will emphasize education and skill-building. Successful intervention may involve remediation. Remedial responses to bullying and harassment include measures designed to correct the problem behavior, prevent another occurrence of the behavior and protect the target. Remediation may be targeted to the individual(s) involved in the bullying behavior or environmental approaches. In addition, intervention will focus upon the safety of the target. Staff is expected, when aware of bullying, to either refer the student to designated resources for assistance, or to intervene in accordance with this policy and regulation.

Provisions for students who don't feel safe at school

The Board acknowledges that, notwithstanding actions taken by staff, intervention may require a specific coordinated approach if the child does not feel safe at school. Students who do not feel safe at school are limited in their capacity to learn and reach their academic potential. Staff, when aware of bullying, should determine if accommodations are needed in order to help ensure the safety of the student and bring this to the attention of the principal. The principal, other appropriate staff, the student and the student's parent will work together to define and implement any needed accommodations.

The Board recognizes that there is a need to balance accommodations which enhance student safety against the potential to further stigmatize the targeted student. Therefore, each case will be handled individually, and the student, parent/guardian, and school administration will collaborate to establish safety provisions that best meet the needs of the targeted student. Follow-up discussion and/or meetings will be scheduled, as needed, to ensure that safety concerns have been adequately addressed and to determine when and if accommodations need to be changed or discontinued.

Reporting and Investigation

Although it can be difficult to step forward, the Board can't effectively address bullying if incidents aren't reported. Students who have been bullied, parents whose children have been bullied or other students or staff who observe bullying behavior are encouraged and expected to make a verbal and/or written complaint to any school personnel in accordance with the training and guidelines provided. At all times, complaints will be documented, tracked and handled in accordance with the regulations and procedures accompanying this policy, or, if applicable, [0100, Equal Opportunity and Nondiscrimination, or 0110, Sexual Harassment]. If a staff person is unsure of the reporting procedure, he/she is expected to inquire about how to proceed by speaking with their supervisor. All incidents of bullying will be reported to the New York State Education Department on at least an annual basis, so that the state can evaluate ICA's performance under the policy. Such incidents may be included in the Violent and Disruptive Incident Reporting (VADIR) system, as applicable.

There shall be a duty for all school personnel to report any incidents of student-to-student and staff-to-student bullying that they observe to their principal or other administrator who supervises their employment. In addition, there shall be a further duty for all school personnel to report any incidents of student-to-student and staff-to-student bullying of which they are made aware by students to the principal or other administrator who supervises their employment

The results of the investigation shall be reported back to both the target and the accused in accordance with the accompanying regulation. If either of the parties disagrees with the results of the investigation, they can appeal the findings in accordance with the regulations that accompany this policy.

Disciplinary Consequences/Remediation

While the focus of this policy is on prevention, bullying acts may still occur. In these cases, offenders will be given the clear message that their actions are wrong and the behavior must improve. Student offenders will receive in-school guidance in making positive choices in their relationships with others. If appropriate, disciplinary action will be taken by the administration as applicable. If the behavior rises to the level of criminal activity, law enforcement will be contacted.

Consequences for a student who commits an act of bullying shall be unique to the individual incident and will vary in method and severity according to the nature of the behavior, the developmental age of the student, and the student's history of problem behaviors, and must be consistent with both the district's and ICA's Code of Conduct.

Non-Retaliation

All complainants and those who participate in 'the investigation of a complaint in conformity with state law, as well as the districts and ICA's policies, who have acted reasonably and in good faith, have the right to be free from retaliation of any kind.

False Claims

Students who make false claims of harassment or bullying will be subject to disciplinary action as defined by this policy.

Dissemination, Monitoring, Review, and Reporting

This policy, or a plain language summary, shall be published in student registration materials, student, parent and employee handbooks. The annual report, titled "[Report of Incidents Concerning School Safety and the Educational Climate](#)," will be submitted via the NYSED on-line portal and has been developed as follows: Part 1, (VADIR) is the report of violent and disruptive incidents. Part 2, (Dignity Act) is the report of material incidents of discrimination and/or harassment.

ICA will ensure that reporting of information to the public will be in a manner that complies with student privacy rights under the Family Educational Rights and Privacy Act (FERPA).

Ratified on June ??, 2015