

**ELMONT UNION FREE SCHOOL DISTRICT**  
**Elmont, New York**

**ADMINISTRATIVE OPERATIONS**  
**DIGNITY FOR ALL STUDENTS ACT**

**5301 (a)**  
**ADMINISTRATION**

**I. Purpose:**

The Board of Education of the Elmont Union Free School District is committed to providing an educational environment that promotes respect, dignity, and equality. The Board recognizes that acts of discrimination and harassment, including bullying, taunting, or intimidation are detrimental to student learning and achievement. These behaviors interfere with the mission of the school district to educate its students, and disrupts the operation of its schools. Such behavior affects not only the students who are its targets, but also those individuals who participate in, and witness such acts.

To this end, the Board condemns and strictly prohibits all forms of discrimination and harassment, including bullying, taunting or intimidation, against students by students and/or employees on school property, (which includes, among other things, school buses, and at school functions, which means school-sponsored, extra-curricular events activities) and/or occurs off school property and creates, or would foreseeably create, a risk of substantial disruption within the school environment.

**II. Definitions:**

**Harassment** - The Dignity Act (Education Law §11[7]) 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. Such conduct, verbal threats, intimidation or abuse, includes, but is not limited to conduct, verbal threats, intimidation or abuse based on a person's actual or perceived: race, color, weight, national origin, ethnic group, religion, religious practice, disability, sex, sexual orientation, gender (which includes a person's actual or perceived sex, as well as gender identity and expression).

**Bullying** – unwanted, aggressive behavior among school-aged children that involves a real or perceived power imbalance. The behavior is repeated, or has the potential to be repeated, over time. Bullying can occur before and after school hours, in a school building or places like a playground or bus, while a child is traveling to or from school or on the Internet (**cyberbullying**).

Children who are bullied and those who bully others could have serious, lasting problems. Additionally, (according to the USDE), bullying generally involves the following characteristics:

- a. An Imbalance of Power: Children who bully use their power, such as physical strength, access to embarrassing information, or popularity, to control or harm others. Power imbalances can change over time and in different situations, even if they involve the same people.
- b. The Intent to Cause Harm: The person bullying has a goal of causing harm.
- c. Repetition: Bullying behaviors generally happen more than once or have the potential to happen more than once.

Examples of bullying include, both verbal and non-verbal acts, but are not limited to:

**Verbal**: Name-calling, teasing, inappropriate sexual comments, taunting, and threatening to cause harm.

**Social**: Spreading rumors about someone, excluding others on purpose, telling other children not to be friends with someone, and embarrassing someone in public.

**Physical**: Hitting, punching, shoving, kicking, pinching, spitting, tripping, pushing, taking or breaking someone's things, and making mean or rude hand gestures

**Cyberbullying**, shall mean harassment or bullying as defined above, where such harassment or bullying occurs through any form of electronic communication.

### **Hazing**

The Penal Law defines hazing as a person intentionally or recklessly engaging in conduct during the course of another person's initiation into or affiliation with any organization, which creates a substantial risk of physical injury to such other person or a third person and thereby causes such injury (Penal Law §120.16).

Under the Penal Law, it is also considered hazing, even when physical injury does not occur, if a person intentionally or recklessly engaged in conduct during the course of another person's initiation into or affiliation with any organization, which created a substantial risk of physical injury to such other person or a third person (Penal Law §120.17).

### **Discrimination**

Unfair treatment of one person or group, usually because of prejudice about actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex.

### III. Policy Objectives

By adopting and publishing this Policy, it is the intention of the Board of Education to:

- a. Amend the Code of Conduct to include the Dignity Act
- b. Learn about and identify the early warning signs and precursor behaviors that can lead to discrimination, harassment, bullying, taunting or intimidation.
- c. Gather information about discrimination, harassment, bullying, taunting or intimidation on school property or at school functions directly from students (through surveys, and other mechanisms); analyzing and using the data gathered to assist in decision-making about programming and resource allocation.
- d. Establish clear school-wide and classroom rules about discrimination, harassment, bullying, taunting or intimidation through a district code of conduct, developed in accordance with Education Law.
- e. Training adults in the school community to respond sensitively and consistently to discrimination, harassment, bullying, taunting or intimidation.
- f. Raising awareness among school staff, through training, of school experiences of student populations specified in the Dignity for All Students Act, including but not limited to: students of difference races, colors, weights, national origins, ethnic groups, religion, religious practices, mental or physical abilities, sexual orientations, genders or gender expression, and sex; social stigma in the school environment, gender norms in the school environment, and strategies for preventing and responding to discrimination, harassment, bullying, taunting or intimidation and/or other forms of anti-social and/or violent behavior.
- g. Providing adequate supervision, particularly in less structured areas, including, but not limited to, hallways, cafeterias, school buses and playgrounds.
- h. Raising parental awareness and involvement in discrimination, harassment, bullying, taunting or intimidation prevention and intervention.
- i. Providing examples of positive behaviors that are age appropriate.
- j. Instituting policies and practices that create a safe and secure learning school environment.
- k. Using educational opportunities or curricula, including, if applicable, the Individual Educational Plan (IEP), to address the underlying causes and effects of discrimination, harassment, bullying, taunting or intimidation.

IV. Training, Implementation of Policy and Reporting of discrimination, harassment, bullying, taunting or intimidation.

- a. All students in grades pre-kindergarten through sixth grade, shall have instruction in civility, citizenship and character education, at the beginning of each school year, including specific instruction on the Dignity Act Code of Conduct through the Social-Emotional Curriculum.

Such component shall instruct students on the principles of honesty, tolerance, personal responsibility, respect for other, with an emphasis on discouraging acts of harassment, bullying, cyber-bullying, discrimination, observance laws and rules, courtesy, dignity and other traits which will enhance the quality of their experience in and contributions to the community. Such component shall include instruction of safe, responsible use of the internet and electronic communications.

Copies of the Code of Conduct, written in plain language, in an age appropriate version, will be distributed to all students at an assembly in the beginning of each school year.

- b. Provide training to school staff on harassment, bullying, and discrimination to enable them to:

- (1) Prevent and respond to acts of harassment, bullying and discrimination and intimidation.
- (2) Raise awareness and sensitivity of school employees to potential discrimination, harassment, bullying, discrimination and intimidation.
- (3) Effective use of measured, balanced and age appropriate responses to instances of harassment, bullying or discrimination by students, with remedies that follow a progressive model that makes appropriate use of intervention, discipline and education.

- c. In each school building, one employee will be designated as the Dignity Act Coordinator (DAC). This individual will be thoroughly trained to handle human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, and sex.

When harassment has occurred, staff must take prompt and effective steps to end it, eliminate any hostile environment and prevent it from reoccurring. Staff will implement these steps, regardless of whether the student, who is the object of the harassment, makes a complaint, asks the staff and/or the school to take action or identifies the harassment as a form of discrimination.

- d. School employees who witness or are made aware, by students and or parents (oral or written reports), of discrimination, harassment, bullying, taunting or intimidation will immediately inform the DAC of the incident, who will conduct a prompt investigation and report each incident on a timely basis to the building Principal.

Corrective measures and/or administrative action will be determined on a case by case basis to appropriately address incidents of discrimination and/or harassment. These measures are designed to correct the problem behavior, prevent another occurrence, and protect the targeted student(s). These actions may include:

- Peer support groups, corrective instruction or other relevant learning experience
  - Positive support intervention
  - Behavioral assessment or evaluation
  - Behavioral management plans, that are closely monitored
  - Student counseling and/or parent conferences
- e. Retaliation against any individual, who, in good faith, reports, or assists in the investigation of harassment, bullying and discrimination is prohibited.
- f. At all times, complaints will be documented, tracked and handled in accordance with the policies, procedures and the Code of Conduct, of the Elmont Union Free School District.
- g. In the case of a report of alleged staff-to-student harassment and/or discrimination, reporting, investigation, and response must follow all applicable school district policies and procedures, including contractual provisions and due process obligations related to staff-to-student misconduct.

**V. Communication and Monitoring**

- a. The Code of Conduct including The Dignity Act will be posted on the school website. Constituent groups, including, but not limited to, administration, staff, parents, students and community members will have an opportunity to provide input on the Dignity Act Policy at the Board of Education Meeting, annually, when the policy is re-affirmed.
- b. The Board of Education will receive the annual VADIR report, as well as other relevant data, for each school and for the district as a whole, with particular attention to the trends in incidents of discrimination, harassment and bullying. Based on the review of the data, the Board may consider action, including but not limited to modification of this policy and additional training.

Legal Reference

Policy

Adopted: 9/12 (approved at Board Meeting 9/12/12)

Amended: