

OGDENSBURG CITY SCHOOL DISTRICT
OGDENSBURG, NEW YORK

SUBJECT: First Review of Revised District Policy/Regulation #7550: Dignity for all Students Act (Required Policy)

DATE: April 2, 2018

REASON FOR BOARD CONSIDERATION:

The Board of Education must review and approve all policies and regulations of the Ogdensburg City School District.

FACTS AND ANALYSIS:

The District seeks to create an environment free of harassment, bullying, and discrimination; to foster civility in its schools; and to prevent conduct that is inconsistent with its educational mission. The District, therefore, prohibits all forms of harassment and bullying of students by employees or other students on school property and at school functions. The District further prohibits discrimination against students, including, but not limited to, discriminatory acts based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex by school employees or other students on school property and at school functions that take place at locations off school property. In addition, other acts of harassment, bullying, or discrimination that can reasonably be expected to materially and substantially disrupt the education process may be subject to discipline or other corrective action.

RECOMMENDED ACTION:

No action necessary - First Review of Revised District Policy/Regulation #7550: Dignity for all Students Act (Required Policy).

APPROVED FOR PRESENTATION TO THE BOARD:


Superintendent

TMV/alf
Attachment

SUBJECT: DIGNITY FOR ALL STUDENTS

The District seeks to create an environment free of harassment, bullying, and discrimination; to foster civility in its schools; and to prevent conduct that is inconsistent with its educational mission. The District, therefore, prohibits all forms of harassment and bullying of students by employees or other students on school property and at school functions. The District further prohibits discrimination against students, including, but not limited to, discriminatory acts based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex by school employees or other students on school property and at school functions that take place at locations off school property. In addition, other acts of harassment, bullying, or discrimination that can reasonably be expected to materially and substantially disrupt the education process may be subject to discipline or other corrective action.

Dignity Act Coordinator

In each of its schools, the District will designate at least one employee holding licenses or certifications as required by the Commissioner to serve as the Dignity Act Coordinator (DAC). Each DAC 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 (including gender identity or expression), and sex. Training will also be provided for DACs that addresses: the social patterns of harassment, bullying, and discrimination, including, but 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, and sex; the identification and mitigation of harassment, bullying, and discrimination; and strategies for effectively addressing problems of exclusion, bias, and aggression in educational settings. All DAC appointments will be approved by the Board.

The District will widely disseminate the name, designated school, and contact information of each DAC to all school personnel, students, and parents or persons in parental relation by:

- a) Listing it in the *Code of Conduct*, with updates posted on the District's website; and
- b) Including it in the *Code of Conduct's* plain-language summary provided to all parents or persons in parental relation to students before the beginning of each school year; and
- c) Providing it to parents or persons in parental relation in at least one District or school mailing or other method of distribution, including, but not limited to, electronic communication or sending information home with each student. If the information changes, parents and persons in parental relation will be notified in at least one subsequent District or school mailing, or other method of distribution, as soon as practicable thereafter; and
- d) Posting it in highly visible areas of school buildings; and
- e) Making it available at the District and school-level administrative offices.

(Continued)

SUBJECT: DIGNITY FOR ALL STUDENTS (Cont'd.)

If a DAC vacates his or her position, the District will immediately designate an interim DAC, pending approval from the Board within 30 days. In the event a DAC is unable to perform his or her duties for an extended period of time, the District will immediately designate an interim DAC, pending the return of the previous individual to the position.

Training and Awareness

Each year, all employees will be provided with training to promote a supportive school environment that is free from harassment, bullying, and discrimination, and to discourage and respond to incidents of harassment, bullying, and discrimination. This training may be provided in conjunction with existing professional development, will be conducted consistent with guidelines approved by the Board, and will:

- a) Raise awareness and sensitivity to potential acts of harassment, bullying, and discrimination;
- b) Address social patterns of harassment, bullying, and discrimination and the effects on students;
- c) Inform employees on the identification and mitigation of harassment, bullying, and discrimination;
- d) Enable employees to prevent and respond to incidents of harassment, bullying, and discrimination;
- e) Make school employees aware of the effects of harassment, bullying, cyberbullying, and discrimination on students;
- f) Provide strategies for effectively addressing problems of exclusion, bias, and aggression;
- g) Include safe and supportive school climate concepts in curriculum and classroom management; and
- h) Ensure the effective implementation of school policy on conduct and discipline.

Rules against harassment, bullying, and discrimination will be included in the *Code of Conduct*, publicized District-wide, and disseminated to all staff and parents or persons in parental relation. Any amendments to the *Code of Conduct* will be disseminated as soon as practicable following their adoption. The District will provide new employees with a complete copy of the current *Code of Conduct* upon beginning their employment, and distribute an age-appropriate summary to all students at a school assembly at the beginning of each school year.

(Continued)

SUBJECT: DIGNITY FOR ALL STUDENTS (Cont'd.)**Reports and Investigations of Harassment, Bullying, or Discrimination**

The District encourages and expects students who have been subjected to harassment, bullying, or discrimination; parents or persons in parental relation whose children have been subjected to this behavior; other students who observe or are told of this behavior; and all District staff who become aware of this behavior to timely report it to the principal, Superintendent, DAC, or designee.

The principal, Superintendent, DAC, or designee will lead or supervise a timely and thorough investigation of all reports of harassment, bullying, and discrimination. The DAC or other individual conducting the investigation may seek the assistance of the District's Civil Rights Compliance Officer in investigating, responding to, and remediating complaints.

In the event an investigation verifies that harassment, bullying, or discrimination occurred, the District will take prompt action reasonably calculated to end it, to eliminate any hostile environment, to create a more positive school culture and climate, to prevent recurrence of the behavior, and to ensure the safety of the student or students against whom the harassment, bullying, or discrimination was directed.

The Superintendent, principal, DAC, or designee will notify the appropriate local law enforcement agency when there is a reasonable belief that an incident of harassment, bullying, or discrimination constitutes criminal conduct.

The District will timely collect information related to incidents involving harassment, bullying, and discrimination; provide required internal reports; and complete and submit any required report to the State Education Department in the manner and within the timeframe specified by the Commissioner.

Prohibition of Retaliatory Behavior (Whistle-Blower Protection)

Any person who has reasonable cause to suspect that a student has been subjected to harassment, bullying, or discrimination by an employee or student on school grounds or at a school function, and who acts reasonably and in good faith in reporting it to school officials, the Commissioner of Education, or law enforcement authorities, or who otherwise initiates, testifies, participates, or assists in any formal or informal proceedings, will have immunity from any civil liability that may arise from making that report, or from initiating, testifying, participating, or assisting in those proceedings. The District also prohibits any retaliatory behavior directed against any complainant, victim, witness, or any other individual who participated in the reporting or investigation of an incident of alleged harassment, bullying, or discrimination.

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SUBJECT: DIGNITY FOR ALL STUDENTS (Cont'd.)**Publication of District Policy**

At least once during each school year, all school employees, students, and parents or persons in parental relation will be provided with a written or electronic copy of this policy, or a plain-language summary of it. The policy or summary will include information relating to how students, parents or persons in parental relation, and school employees may report harassment, bullying, or discrimination. Additionally, the District will strive to maintain a current version of this policy on its website at all times.

Application

Nothing in this policy or its implementing regulations should be interpreted to preclude or limit any right or cause of action provided under any local, state, or federal ordinance, law, or regulation, including, but not limited to, any remedies or rights available under the Individuals with Disabilities Education Act, Title VII of the Civil Rights Law of 1964, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act of 1990.

Education Law §§ 10-18, 801-a, 2801, and 3214
8 NYCRR § 100.2

NOTE: Refer also to Policies #1330 -- Appointments and Designations by the Board
#3410 -- Code of Conduct
#3420 -- Non-Discrimination and Anti-Harassment in the District
#5670 -- Records Management
#6411 -- Use of Email in the District
#7551 -- Sexual Harassment of Students
#7552 -- Student Gender Identity
#7553 -- Hazing of Students
#8242 -- Civility, Citizenship and Character Education/Interpersonal
Violence Prevention Education

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Students

SUBJECT: DIGNITY FOR ALL STUDENTS

The District has established procedures to help create an environment free from harassment, bullying, and discrimination; to foster civility; and to prevent conduct that is inconsistent with its educational mission.

Definitions

For purposes of this regulation and Policy #7550, the following definitions apply:

- 1) "Sexual orientation" means actual or perceived heterosexuality, homosexuality, or bisexuality;
- 2) "Gender" means actual or perceived sex, and includes a person's gender identity or expression;
- 3) "Discrimination" means the practice of conferring to or denying privileges against any student by one or more students or employees based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex while on school property or at a school function;
- 4) "Harassment" and "bullying" mean the creation of a hostile environment by conduct, or by verbal or non-verbal threats, intimidation, or abuse, including cyberbullying, that:
 - a. 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
 - b. Reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety; or
 - c. Reasonably causes or would reasonably be expected to cause physical injury or emotional harm to a student; or
 - d. Occurs off school property and creates or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation, or abuse might reach school property.

Acts of harassment and bullying include, but are 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, or sex.

- 5) "Cyberbullying" means harassment or bullying that occurs through any form of electronic communication.

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SUBJECT: DIGNITY FOR ALL STUDENTS (Cont'd.)

- 6) "Material incident of harassment, bullying, or discrimination" means a single verified incident or a series of related verified incidents where a student is subjected to harassment, bullying, or discrimination by a student or employee on school property or at a school function. In addition, this term includes a verified incident or series of related incidents of harassment, bullying, or discrimination that occur off school property, where the incident or incidents: create or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation, or abuse might reach school property; and that is, or are the subject of a written or oral complaint to the Superintendent, principal, Dignity Act Coordinator (DAC), or their designee, or other school employee. This conduct includes, but is not limited to, threats, intimidation, or abuse based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex.

Internal Reports and Investigations of Harassment, Bullying, or Discrimination

Students who have been subjected to harassment, bullying, or discrimination, parents or persons in parental relation whose children have been subjected to this behavior, or other students who observe or are told of this behavior, are encouraged and expected to make verbal or written reports to the principal, Superintendent, DAC, or other District personnel. All District staff who become aware of an incident of harassment, bullying, or discrimination must orally report it within one school day to the Superintendent, principal, DAC, or designee, and report it in writing within two school days thereafter.

The Superintendent, principal, DAC, or their designee will timely document and investigate all reports of harassment, bullying, or discrimination. The Dignity Act Coordinator or other investigator may seek the assistance of the District's Civil Rights Compliance Officer in investigating, responding to, and remedying complaints of harassment, bullying, or discrimination.

In the event an investigation verifies that harassment, bullying, or discrimination occurred, the District will take prompt action reasonably calculated to end it, to eliminate any hostile environment, to create a more positive school culture and climate, to prevent recurrence of the behavior, and to ensure the safety of the student or students against whom the harassment, bullying, or discrimination was directed.

Reporting Incidents

At least once during each school year, the principal of each primary and secondary school will provide a report with information related to harassment, bullying, and discrimination incidents to the Superintendent. This report will be submitted in a manner prescribed by the District, and will be used to submit the annual School Safety and the Educational Climate (SSEC) Summary Data Collection form to the State Education Department (SED).

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SUBJECT: DIGNITY FOR ALL STUDENTS (Cont'd.)

Each year, the District will complete and submit its SSEC Summary Data Collection form to SED in the manner and within the timeframe specified by the Commissioner. The SSEC form encompasses data related to material incidents of harassment, bullying, and discrimination under the Dignity for All Students Act as well as information regarding violent and disruptive incident reporting (VADIR).

Material incidents of harassment, bullying, or discrimination include incidents that:

- 1) Are the result of the investigation of a written or oral complaint made to the Superintendent, principal, DAC, designee, other school administrator responsible for school discipline, or to any other school employee; or
- 2) Are otherwise directly observed by the Superintendent, principal, DAC, designee, administrator, or by any other employee, regardless of whether a complaint is made.

The annual report will also include information describing the specific nature of the incident, including, but not limited to:

- 1) The type(s) of bias involved (actual or perceived race, color, weight, national origin, ethnic group, religion, religious practices, disability, sexual orientation, gender, sex, or other). The District will report all types of bias involved, including those described in multiple categories;
- 2) Whether the incident resulted from student or employee conduct;
- 3) Whether the incident involved physical contact or verbal threats, intimidation, or abuse; and
- 4) The location where the incident occurred (on school property, at a school function, or off school property).

NOTE: Refer also to Regulations #3420R -- Non-Discrimination and Anti-Harassment in the School District
#3420F -- Complaint Form
#5670R -- Records Management
#7550R.1 -- Strategies to Prevent Harassment, Bullying, and Discrimination
District Code of Conduct

**OGDENSBURG CITY SCHOOL DISTRICT
DIGNITY ACT COMPLAINT FORM-2018**

Name of targeted student: _____, ☐ Male ☐ Female,

who is in grade: _____ at _____ (school/location)

Date _____ and time _____ of incident(s)

Place of incident(s): ☐ On school property (including school bus)
☐ At a school sponsored function off school grounds
☐ Off school grounds

This report results from a(n):

☐ Employee, who *directly observed* an incident or series of incidents

Employee's name _____ and title _____

☐ Employee, who *was made aware* of an incident or series of incidents

Employee's name _____ and title _____

☐ Parent or community member

Complainant's name _____, relationship to targeted student _____

Telephone and other contact information: _____

☐ Other, name _____ relationship to targeted student/district _____

Telephone and other contact information: _____

Basis of this complaint/grievance:

_____ Race _____ Religion _____ Gender (including identity or expression)

_____ Ethnic Group _____ Religious Practice _____ Sex

_____ National Origin _____ Disability _____ Sexual orientation

_____ Color _____ Weight

_____ Other/Not sure (Explain): _____

Name of alleged offender(s): _____, in grade: _____ ☐ Male ☐ Female
 _____, in grade: _____ ☐ Male ☐ Female

Incident is a result of: ☐ Student and/or
☐ Employee conduct

Description of alleged harassment/bullying/discrimination incident(s): _____

The incident(s) involved: ☐ Intimidation or abuse, but no verbal threat(s) or physical contact
☐ Verbal threat(s) but no physical contact
☐ Physical contact but no verbal threat(s)
☐ Verbal threat(s) and physical contact

Witnesses, or others with knowledge or information important to this investigation, including contact information for each: _____

 Signature of Employee or Complainant

 Date

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SUBJECT: STRATEGIES TO PREVENT HARASSMENT, BULLYING, AND DISCRIMINATION

The District is committed to preventing harassment, bullying, and discrimination in all forms, including, but not limited to, hazing. The District may make use of the following strategies and training to prevent the harassment, bullying, and discrimination of its students:

- 1) Publicize rules against harassment, bullying, and discrimination, and post them school-wide, accompanied by a range of possible sanctions. (Note: sanctions will also to be addressed in the District *Code of Conduct*.)
- 2) Use student and adult mentors to assist victims and individuals who engage in harassment, bullying, or discrimination, thereby building self-esteem and fostering mutual understanding of, and appreciation for, differences in others.
- 3) Develop a buddy system that pairs students with a particular friend or older buddy with whom they share class schedule information and plans for the school day, and on whom they can depend for help.
- 4) Provide an on-campus parents' center that recruits, coordinates, and encourages parents to take part in the educational process, to volunteer, and to assist in school activities and projects.
- 5) Add adult classes in parenting skills and student classes in anger management, assertiveness training, and behavior modification training.
- 6) Disseminate the District *Code of Conduct* to teachers, students, and parents or persons in parental relation as mandated by law or regulation.
- 7) Emphasize remedial actions that stress appropriate behavior instead of reprimands that focus on punishing wrong behavior.
- 8) Build friendship groups that support children who are regularly harassed, bullied, or discriminated against by peers.
- 9) Create peer mediation programs and teen courts to train students to mediate problems among themselves.
- 10) Make conflict and dispute resolution curricula available, in an age-appropriate manner, at designated grade levels.
- 11) Increase staff supervision in areas such as hallways, cafeterias, playgrounds and athletic playing fields, locker rooms, buses, as well as at school functions—whether on or off campus—to reduce the opportunity for inappropriate behavior by students.

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**SUBJECT: STRATEGIES TO PREVENT HARASSMENT, BULLYING, AND
DISCRIMINATION (Cont'd.)**

- 12) Involve school counselors or mental-health professionals where appropriate.
- 13) Involve community members in the District's anti-bullying activities (e.g., convene meetings with leaders of the community to discuss the District's anti-bullying program, involve media to help publicize the District's anti-bullying prevention and intervention activities, and engage community members in the development of school-community activities to promote anti-bullying, non-discrimination, and anti-harassing behavior).

NOTE: Refer also to Regulations #3420R -- Non-Discrimination and Anti-Harassment in the
School District
#7550R -- Dignity for All Students
District Code of Conduct

SUBJECT: DIGNITY FOR ALL STUDENTS

The District seeks to create an environment free of harassment, bullying, and discrimination; to foster civility in its schools; and to prevent conduct ~~which that~~ is inconsistent with its educational mission. The District, therefore, prohibits all forms of harassment and bullying of students by employees or other students on school property and at school functions. The District further prohibits discrimination against students, including, but not limited to, ~~these discriminatory~~ acts based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex by school employees or other students on school property and at school functions ~~and at school sponsored activities and events~~ that take place at locations off school property. In addition, other acts of harassment, bullying, ~~and/or~~ discrimination ~~which that~~ can reasonably be expected to materially and substantially disrupt the education process may be subject to discipline or other corrective action.

Dignity Act Coordinator

In each of its schools, the District will designate at least one employee holding ~~such~~ licenses ~~and/or~~ certifications as required by the Commissioner to serve as the Dignity Act Coordinator(s) (DAC). Each DAC 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 (including gender identity or expression), and sex. Training will also be provided for DACs ~~which that~~ addresses: the social patterns of harassment, bullying, and discrimination, including, but 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, and sex; the identification and mitigation of harassment, bullying, and discrimination; and strategies for effectively addressing problems of exclusion, bias, and aggression in educational settings. All DAC appointments will be approved by the Board.

The District will ~~share widely disseminate~~ the name, designated school, and contact information of each DAC ~~with to~~ all school personnel, students, and parents or persons in parental relation. ~~This information will be provided by:~~

- a) Listing ~~this information it~~ in the *Code of Conduct*, with updates posted on the District's website; and
- b) Including ~~this information it~~ in the *Code of Conduct's* plain-language summary ~~of the Code of Conduct~~ provided to all parents or persons in parental relation to students before the beginning of each school year; and
- c) Providing ~~this information it~~ to parents ~~and or~~ persons in parental relation in at least one District or school mailing or other method of distribution, including, but not limited to, electronic communication ~~and/or~~ sending information home with each student. If ~~this the~~ information changes, parents and persons in parental relation will be notified ~~of the changes~~ in at least one subsequent District or school mailing, or other method of distribution, as soon as practicable thereafter; and

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SUBJECT: DIGNITY FOR ALL STUDENTS (Cont'd.)

- d) Posting this information in highly visible areas of school buildings; and
- e) Making this information available at the District and school-level administrative offices.

If a DAC vacates his or her position, ~~another school employee~~ the District will immediately be designated ~~for an interim appointment as~~ DAC, pending approval from the Board, within 30 days ~~of the date the position was vacated~~. In the event a DAC is unable to perform ~~the his or her duties of the position~~ for an extended period of time, the District will immediately designate another school employee ~~will immediately be designated for an interim appointment as~~ DAC, pending the return of the previous individual to the position.

Training and Awareness

Each year, all employees will be provided with training to promote a supportive school environment that is free from harassment, bullying, and ~~or~~ discrimination, and to discourage and respond to incidents of harassment, bullying, and ~~or~~ discrimination. This training may be provided in conjunction with existing professional development, will be conducted consistent with guidelines approved by the Board, and will:

- a) Raise awareness and sensitivity to potential acts of harassment, bullying, and ~~or~~ discrimination;
- b) Address social patterns of harassment, bullying, and ~~or~~ discrimination and the effects on students;
- c) Inform employees on the identification and mitigation of such harassment, bullying, and discrimination ~~acts~~;
- d) Enable employees to prevent and respond to incidents of harassment, bullying, and ~~or~~ discrimination;
- e) Make school employees aware of the effects of harassment, bullying, cyberbullying, and ~~or~~ discrimination on students;
- f) Provide strategies for effectively addressing problems of exclusion, bias, and aggression;
- g) Include safe and supportive school climate concepts in curriculum and classroom management; and
- h) Ensure the effective implementation of school policy on conduct and discipline.

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Students

SUBJECT: DIGNITY FOR ALL STUDENTS (Cont'd.)

Rules against ~~harassment, bullying, and discrimination~~ bullying, discrimination, and/or harassment will be included in the *Code of Conduct*, publicized District-wide, and disseminated to all staff and parents or persons in parental relation. Any amendments to the *Code of Conduct* will be disseminated as soon as practicable following their adoption. The District will provide Nnew teachers employees will be provided with a complete copy of the current *Code of Conduct* upon beginning their employment, and distribute an age-appropriate summary will be distributed to all students at a school assembly at the beginning of each school year.

Reports and Investigations of Harassment, Bullying, ~~and/or~~ Discrimination

The District encourages and expects Sstudents who have been subjected to harassment, bullying, ~~and/or discrimination~~, parents or persons in parental relation whose children have been subjected to ~~such this behavior~~, or other students who observe or are told of such this behavior, and all District staff who become aware of this behavior to timely report it, are encouraged and expected to make verbal and/or written reports to the principal, Superintendent, DAC, and/or other school personnel. All District staff who are aware of harassment, bullying, and/or discrimination, are required to orally report the incident(s) within one school day to the principal, Superintendent, DAC, or designee and report it in writing within two school days after making an oral report.

The principal, Superintendent, DAC, or designee will lead ~~and/or~~ supervise a timely and thorough investigation of all reports of harassment, bullying, and/or discrimination, and ensure that these investigations are completed promptly after receipt of any such reports. All investigations will be conducted in accordance with law, the District's *Code of Conduct*, and applicable District policy and procedure. In the event allegations involve harassment, bullying, and/or discrimination on the basis of race, color, religion, national origin, sex, sexual orientation, or disability, the District may utilize the procedures set forth in Policy #3420 — Non-Discrimination and Anti-Harassment in the District, and its implementing regulations. Where appropriate, the DAC or other individual conducting the investigation, may seek the assistance of the District's Civil Rights Compliance Officer in investigating, responding to, and remediating complaints of harassment, bullying, and/or discrimination.

In the event any investigation reveals verifies that harassment, bullying, ~~and/or discrimination occurred~~, the District will take prompt action reasonably calculated to end the harassment, bullying, and/or discrimination, to eliminate any hostile environment, to create a more positive school culture and climate, to prevent recurrence of the behavior, and to ensure the safety of the student or students against whom the harassment, bullying, and/or discrimination was directed. These actions will be taken consistent with applicable laws and regulations, District policies and administrative regulations, and collective bargaining agreements, as well as the District's Code of Conduct and any and all applicable guidelines approved by the Board.

The Superintendent, principal, DAC, or designee will notify the appropriate local law enforcement agency when there is a it is reasonable believed that any incident of harassment, bullying, ~~and/or~~ discrimination constitutes criminal conduct.

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SUBJECT: DIGNITY FOR ALL STUDENTS (Cont'd.)

The District will timely collect information related to incidents involving harassment, bullying, and discrimination; provide required internal reports; and complete and submit any required report to the State Education Department in the manner and within the timeframe specified by the Commissioner.

The principal of each primary and secondary school will provide a regular report (at least once during each school year) on data and trends related to harassment, bullying, and/or discrimination to the Superintendent. This report will be submitted in a manner prescribed by the District.

—The District will annually report material incidents of harassment, bullying, and/or discrimination which occurred during the school year to the State Education Department. This report will be submitted in a manner prescribed by the Commissioner, on or before the basic educational data system (BEDS) reporting deadline, or other date as determined by the Commissioner.

Prohibition of Retaliatory Behavior (~~Commonly Known as~~ "Whistle-Blower" Protection)

Any person who has reasonable cause to suspect that a student has been subjected to harassment, bullying, or discrimination by an employee or student on school grounds or at a school function, and who acts reasonably and in good faith and reports in reporting this information to school officials, the Commissioner of Education, or law enforcement authorities, or who otherwise initiates, testifies, participates, or assists in any formal or informal proceedings, will have immunity from any civil liability that may arise from making that report, or from initiating, testifying, participating, or assisting in those proceedings. Furthermore, the Board prohibits any retaliatory action against any person who, acting reasonably and in good faith, makes a report of harassment, bullying, or discrimination, or who otherwise initiates, testifies, participates, or assists in the investigation of a complaint of harassment, bullying, or discrimination. The District also prohibits any retaliatory behavior directed against any complainant, victim, witness, or any other individual who participated in the reporting or investigation of an incident of alleged harassment, bullying, or discrimination.

Publication of District Policy

At least once during each school year, all school employees, students, and parents or persons in parental relation will be provided with a written or electronic copy of this policy, or a plain-language summary thereof of it. The policy or summary will include information relating to how, including notification of the process by which students, parents or persons in parental relation, and school employees may report harassment, bullying, and/or discrimination. Additionally, the District will strive to maintain a current version of this policy on its website at all times.

Application

Nothing in this policy or its implementing regulations should be interpreted to preclude or limit any right or cause of action provided under any local, state, or federal ordinance, law, or regulation, including, but not limited to, any remedies or rights available under the Individuals with Disabilities Education Act, Title VII of the Civil Rights Law of 1964, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act of 1990.

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Education Law §§ 10-18, 801-a, 2801, and 3214
8 NYCRR § 100.2

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SUBJECT: ~~DIGNITY FOR ALL STUDENTS (Cont'd.)~~

NOTE: Refer also to Policies

- #1330 -- Appointments and Designations by the Board
- #3410 -- Code of Conduct
- #3420 -- Non-Discrimination and Anti-Harassment in the District
- [#5670](#) -- Records Management
- [#6411](#) -- Use of Email in the District
- #7551 -- Sexual Harassment of Students
- #7552 -- Student Gender Identity
- #7553 -- Hazing of Students
- #8242 -- Civility, Citizenship and Character Education/Interpersonal Violence Prevention Education

Adoption Date

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Students

SUBJECT: DIGNITY FOR ALL STUDENTS

The District has established procedures to help create an environment free from harassment, bullying, and discrimination; to foster civility; and to prevent conduct that is inconsistent with its educational mission.

~~The District is committed to creating a learning environment that is safe and supportive of every student. The District, therefore, condemns and prohibits all forms of harassment, bullying, and/or discrimination of students on school property, at school-sponsored activities, and events that take place at locations off school property. Any individual who engages in this conduct will be subject to corrective action and/or disciplinary measures in accordance with applicable laws and/or regulations, District policies and administrative regulations, and collective bargaining agreements, as well as the District *Code of Conduct* and any and all applicable guidelines approved by the Board. In addition, any act of harassment, bullying, and/or discrimination which takes place off of school property or outside of school-sponsored events, and which can reasonably be expected to materially and substantially disrupt the education process, may be subject to corrective action and/or discipline.~~

Definitions

For purposes of this regulation and Policy #7550, the following definitions ~~will~~ apply:

- 1) "Sexual orientation" means actual or perceived heterosexuality, homosexuality, or bisexuality;
- 2) "Gender" means actual or perceived sex, and includes a person's gender identity or expression;
- 3) "Discrimination" means the practice of conferring to or denying privileges ~~discrimination~~ against any student by ~~a one or more students or students and/or an employee or employees on school property or at a school function including, but not limited to, discrimination~~ based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex while on school property or at a school function;
- 4) "Harassment" and "bullying" mean the creation of a hostile environment by conduct, or by verbal or non-verbal threats, intimidation, or abuse, including cyberbullying, that:
 - a. 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
 - b. Reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety; or
 - c. Reasonably causes or would reasonably be expected to cause physical injury or emotional harm to a student; or

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Students

SUBJECT: DIGNITY FOR ALL STUDENTS (Cont'd.)

- d. Occurs off school property and creates or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation, or abuse might reach school property.

Acts of harassment and bullying include, but are 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, or sex. ~~For the purposes of this definition the term "threats, intimidation, or abuse" will include verbal and non-verbal actions.~~

- 5) "Cyberbullying" means harassment or bullying that occurs through any form of electronic communication.
- 6) "Material ~~i~~Incident of ~~H~~harassment, ~~B~~bullying, ~~and/or~~ ~~D~~discrimination" means a single verified incident or a series of related verified incidents where a student is subjected to harassment, bullying, ~~and/or~~ discrimination by a student ~~and/or~~ employee on school property or at a school function. In addition, this term ~~will include~~s a verified incident or series of related incidents of harassment, ~~or~~ bullying, ~~or discrimination~~ that occur off school property, where the incident or incidents: create or would foreseeably create a risk of substantial disruption within the school environment, where it is foreseeable that the conduct, threats, intimidation, or abuse might reach school property; and ~~that~~ is, or are, the subject of a written or oral complaint to the Superintendent, principal, Dignity Act Coordinator (DAC), or their designee, or other school employee. This conduct ~~will include~~s, but is not limited to, threats, intimidation, or abuse based on a person's actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex.

Internal Reports and Investigations of Harassment, Bullying, ~~and/or~~ Discrimination

Students who have been subjected to harassment, bullying, or discrimination, parents or persons in parental relation whose children have been subjected to this behavior, or other students who observe or are told of this behavior, are encouraged and expected to make verbal or written reports to the principal, Superintendent, DAC, or other District personnel. All District staff who become aware of an incident of harassment, bullying, or discrimination must orally report it within one school day to the Superintendent, principal, DAC, or designee, and report it in writing within two school days thereafter.

The Superintendent, principal, DAC, or their designee will timely document and investigate Aall reports of harassment, bullying, and/or discrimination. will be documented and investigated. The principal, Superintendent, or the principal's or Superintendent's designee will lead or supervise the thorough investigation of all reports of harassment, bullying, and/or discrimination, and ensure that these investigations are completed promptly after receipt of reports. Where appropriate, tThe Dignity Act Coordinator or other individual conducting the investigationinvestigator, may seek the assistance of the District's Civil Rights Compliance Officer in investigating, responding to, and remediating complaints of harassment, bullying, and/or discrimination.

In the event any investigation verifies that reveals harassment, bullying, and/or discrimination occurred, the District will take prompt action reasonably calculated to end the harassment, bullying, and/or discriminationit, to eliminate any hostile environment, to create a more positive school culture

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and climate, to prevent recurrence of the behavior, and to ensure the safety of the student or students against whom the harassment, bullying, and/or discrimination was directed. ~~These actions will be taken consistent with applicable laws and regulations, codes of conduct, District policies and administrative regulations, and collective bargaining agreements, as well as any relevant guidelines approved by the Board.~~

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Students

SUBJECT: DIGNITY FOR ALL STUDENTS (Cont'd.)

Reporting of Incidents

At least once during each school year, the principal of each primary and secondary school will provide a report with information related to harassment, bullying, and discrimination incidents to the Superintendent. This report will be submitted in a manner prescribed by the District, and will be used to submit the annual School Safety and the Educational Climate (SSEC) Summary Data Collection form to the State Education Department (SED).

Each year, the District will complete and submit its SSEC Summary Data Collection form to SED in the manner and within the timeframe specified by the Commissioner. The SSEC form encompasses data related to material incidents of harassment, bullying, and discrimination under the Dignity for All Students Act as well as information regarding violent and disruptive incident reporting (VADIR).

The principal of each primary and secondary school will provide to the Superintendent a regular report (at least once during each school year) on data and trends related to harassment, bullying, and/or discrimination.

Each year, the District will submit to the Commissioner an annual report of material incidents of harassment, bullying, and/or discrimination, in accordance with Education Law Section 15. This report will be submitted in a manner prescribed by the Commissioner, on or before the basic educational data system (BEDS) reporting deadline or such other date as determined by the Commissioner.

The District will include in its annual report all material incidents of harassment, bullying, or discrimination include incidents discrimination and/or harassment that:

- 1) Are the result of the investigation of a written or oral complaint made to the Superintendent, principal, DAC, designee, or other school administrator responsible for school discipline, or to any other school employee; or
- 2) Are otherwise directly observed by such the Superintendent, principal, DAC, or designee, administrator, or by any other employee, regardless of whether a complaint is made.

The annual report will also include information describing the specific nature of the incident, including, but not limited to:

- 1) The type(s) of bias involved (actual or perceived race, color, weight, national origin, ethnic group, religion, religious practices, disability, sexual orientation, gender, sex, or other). The District will report all types of bias involved, including those described in multiple categories Where multiple types of bias are involved, they will all be reported;
- 2) Whether the incident resulted from student and/or employee conduct;
- 3) Whether the incident involved physical contact and/or verbal threats, intimidation, or abuse; and
- 4) The location where the incident occurred (on school property, and/or at a school function, or off school property).

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NOTE: Refer also to Regulations #3420R -- Non-Discrimination and Anti-Harassment in the School District
#3420F -- Complaint Form
#5670R -- Records Management
#7550R.1 -- Strategies to Prevent Harassment, Bullying, and Discrimination
District Code of Conduct

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**OGDENSBURG CITY SCHOOL DISTRICT
DIGNITY ACT COMPLAINT FORM**

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Name of targeted student: _____, ☐ Male ☐ Female,
who is in grade: _____ at _____ (school/location)

Date _____ and time _____ of incident(s)

Place of incident(s): ☐ On school property (including school bus)
☐ At a school-sponsored function off school grounds
☐ Off school grounds

This report results from a(n):

- ☐ Employee, who *directly observed* an incident or series of incidents
Employee's name _____ and title _____
- ☐ Employee, who *was made aware* of an incident or series of incidents
Employee's name _____ and title _____
- ☐ Parent or community member
Complainant's name _____, relationship to targeted student _____
Telephone and other contact information: _____
- ☐ Other, name _____ relationship to targeted student/district _____
Telephone and other contact information: _____

Basis of this complaint/grievance:

_____ Race	_____ Religion	_____ Gender (including identity or expression)
_____ Ethnic Group	_____ Religious Practice	_____ Sex
_____ National Origin	_____ Disability	_____ Sexual orientation
_____ Color	_____ Weight	
_____ Other/Not sure (Explain): _____		

Name of ~~alleged offender(s)~~offending person(s): _____, in grade: _____ ☐ Male ☐ Female
_____, in grade: _____ ☐ Male ☐ Female

Incident is a result of: ☐ Student ~~and~~/or
☐ Employee conduct

Description of alleged harassment/bullying/discrimination incident(s): _____

The incident(s) involved: ☐ Intimidation or abuse, but no verbal threat(s) or physical contact
☐ Verbal threat(s) but no physical contact
☐ Physical contact but no verbal threat(s)
☐ Verbal threat(s) and physical contact

Witnesses, or others with knowledge or information important to this investigation, including contact information for each: _____

Signature of Employee or Complainant

Date

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Students

SUBJECT: STRATEGIES TO PREVENT HARASSMENT, BULLYING, AND DISCRIMINATION

The District is committed to preventing harassment, bullying, and discrimination in all ~~its~~ forms, including, but not limited to, hazing. ~~Where appropriate, the District may will~~ make use of ~~some or all~~ of the following strategies and training ~~classes~~ to prevent the harassment, bullying, and discrimination of its students:

- 1) Publicize rules against harassment, bullying, and discrimination, and post them school-wide, accompanied by a range of possible sanctions. (Note: ~~s~~Sanctions ~~for these acts are will~~ also to be addressed in the District *Code of Conduct*.)
- 2) Use student and adult mentors to assist victims and individuals who engage in harassment, bullying, ~~and/or~~ discrimination, thereby building self-esteem and fostering mutual understanding of, and appreciation for, differences in others.
- 3) Develop a buddy system that pairs students with a particular friend or older buddy with whom they share class schedule information and plans for the school day, and on whom they can depend for help.
- 4) Provide an on-campus parents' center that recruits, coordinates, and encourages parents to take part in the educational process, to volunteer, and to assist in school activities and projects.
- 5) Add adult classes in parenting skills and student classes in anger management, assertiveness training, and behavior modification training.
- 6) Disseminate the District *Code of Conduct* to teachers, students, and parents or persons in parental relation as mandated by law ~~and or~~ regulation.
- 7) Emphasize remedial actions that stress appropriate behavior instead of reprimands that focus on punishing wrong behavior.
- 8) Build friendship groups that support children who are regularly harassed, bullied, or discriminated against by peers.
- 9) Create peer mediation programs and teen courts to train students to mediate problems among themselves.
- 10) Make ~~available~~ conflict and dispute resolution curricula available, in an age-appropriate manner, at designated grade levels.
- 11) Increase staff supervision in areas such as hallways, cafeterias, playgrounds and athletic playing fields, locker rooms, buses, as well as at school ~~functions sponsored events~~—whether on or off campus—~~in order~~ to reduce the opportunity for ~~bullying inappropriate~~ behavior by students.

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Students

SUBJECT: STRATEGIES TO PREVENT HARASSMENT, BULLYING, AND DISCRIMINATION (Cont'd.)

- 12) Involve school counselors or mental-health professionals where appropriate.
- 13) Involve community members in the District's anti-bullying activities (e.g., convene meetings with leaders of the community to discuss the District's anti-bullying program, involve media to help publicize the District's anti-bullying prevention and intervention activities, and engage community members ~~as appropriate~~ in the development of school-community activities to promote anti-bullying, non-discrimination, and anti-harassing behavior).

NOTE: Refer also to Regulations #3420R -- Non-Discrimination and Anti-Harassment in the School District
#7550R -- Dignity for All Students
District Code of Conduct