

# REGULATION

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## DIGNITY FOR ALL STUDENTS ACT

The Board of Education is committed to creating a learning environment that is safe and supportive of every student. The District, therefore, condemns and prohibits all forms of bullying, discrimination and/or harassment of students on school property, at school-sponsored activities and events that take place at locations off school property, including any electronic format. In addition, any act of bullying, discrimination and/or harassment outside of school sponsored events, which can reasonably be expected to materially and substantially disrupt the education process may be subject to discipline. The prohibition of bullying, discrimination and/or harassment along with sanctions for such misconduct will be included in the *District Code of Conduct* for all grade levels. Any student who is in violation of District policy and/or regulation will be subject to disciplinary measures in accordance with applicable laws and/or regulations, District Policy and Administrative Regulations and the *District Code of Conduct*.

### Definitions

For purposes of this regulation and Policy #7555, the following definitions shall apply:

- 1) "Sexual orientation" means actual or perceived heterosexuality, homosexuality, or bisexuality;
- 2) "Gender" means actual or perceived sex and shall include a person's gender identity or expression;
- 3) "Discrimination" means discrimination against any student by a student 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,
- 4) "Harassment" and "bullying" mean the creation of a hostile environment by conduct or by 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.

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## **DIGNITY FOR ALL STUDENTS ACT (CONT'D.)**

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" shall include verbal and non-verbal actions.

- 5) "Cyberbullying" means harassment or bullying where such harassment or bullying occurs through any form of electronic communication.
- 6) "Material Incident of Harassment, Bullying, and/or 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, such term shall include a verified incident or series of related incidents of harassment or bullying that occur off school property, where such 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 is or are the subject of a written or oral complaint to the superintendent, principal, or their designee, or other school employee. Such conduct shall include, 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.

### **Reports and Investigations of Harassment, Bullying, and/or Discrimination**

All 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 and/or supervise the thorough investigation of all reports of harassment, bullying, and/or discrimination, and ensure that such investigations are completed promptly after receipt of such reports. Where appropriate, the Dignity Act Coordinator or such other individual conducting the investigation, may seek the assistance of the District's Civil Rights Compliance Officer in investigating, responding to, and remedying complaints of harassment, bullying, and/or discrimination.

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

The Board of Education supports the research-based Olweus™ Bullying Prevention Program for both professional staff development and student instruction. Such training may be provided in conjunction with existing professional development, and will be conducted consistent with guidelines approved by the Board of Education.

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## DIGNITY FOR ALL STUDENTS ACT (CONT'D.)

### Reporting of Incidents

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. Such 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 discrimination and/or harassment that:

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

Such report will 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). 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
- 3) The location where the incident occurred (on school property and/or at a school function).

NOTE: Refer also to Regulations #3420R -- Non-Discrimination and Anti-Harassment in the School District  
#3420F -- Sample Complaint Form  
#7555R.1 - Strategies to Prevent Harassment, Bullying,  
and Discrimination  
*District Code of Conduct*

Implemented: 10/9/12  
Revised: 6/8/15