

Students

SUBJECT: DIGNITY FOR ALL STUDENTS ACT

The Gouverneur Central School 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, ~~those~~ 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 sponsored activities and events~~ 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 (1) employee holding licenses or certifications as required by the Commissioner to serve as the Dignity Act Coordinator. Each Dignity Act Coordinator (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 of Education.

The District will ~~share widely disseminate~~ the name, designated school, and contact information of each Dignity Act Coordinator to all school personnel, students, and parents/persons in parental relation. ~~Such information will be provided~~ by:

- a) Listing ~~such information~~ it in the *Code of Conduct*, with updates posted on the District's website; and
- b) Including ~~such 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 ~~such information~~ it to parents or persons in parental relation in at least one (1) District or school mailing or other method of distribution, including, but not limited to, electronic communication or sending such information home with each student. If the information changes, parents and persons in parental relation will be notified ~~of the changes~~ in at least one (1) subsequent District or school mailing, or other such method of distribution, as soon as practicable thereafter; and
- d) Posting ~~such information~~ it in highly visible areas of school buildings; and
- e) Making ~~such information~~ it available at the District and school-level administrative offices.

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

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 of Education, within thirty (30) days ~~of the date the position was vacated~~. In the event a DAC is unable to perform his or her duties ~~of the position~~ for an extended period of time, ~~another school employee shall immediately be designated for the~~ District will immediately designate 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 discrimination, and to discourage and respond to incidents of harassment, bullying, or discrimination. Such training may be provided in conjunction with existing professional development, and will be conducted consistent with guidelines approved by the Board of Education, 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 ~~such acts~~ 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 will be disseminated as soon as practicable following their adoption. The District will provide new teachers 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.

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SUBJECT: DIGNITY FOR ALL STUDENTS ACT (Cont'd.)**Reports and Investigations of Harassment, Bullying, and/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, ~~are encouraged and expected to make verbal and/or written reports to the principal, superintendent, Dignity Act Coordinator, 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 (1) school day and all District staff who become aware of this behavior to timely report it to the Principal, Superintendent, DAC, or designee and report it in writing within two (2) school days after making an oral report.~~

The Principal, Superintendent, DAC, or designee will lead or supervise a timely and thorough investigation of all reports of harassment, bullying, and discrimination, ~~and ensure that such 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 School 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 remedying complaints of harassment, bullying, and/or discrimination.~~

In the event an investigation ~~reveals~~ verifies that harassment, bullying, or discrimination occurred, the District will take prompt action reasonably calculated to end ~~the harassment, bullying, and/or discrimination~~ 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 such harassment, bullying, or discrimination was directed. ~~Such 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 ~~it is there is~~ a reasonable belief~~ed~~ that any 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.

~~— The Principal of each primary and secondary school shall 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. Such report shall 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. 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.~~

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SUBJECT: DIGNITY FOR ALL STUDENTS ACT (Cont'd.)**Prohibition of Retaliatory Behavior (“Whistle Blower” Protection)**

~~Pursuant to Section 16 of the Education Law, a~~ 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 ~~such information~~ 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 such report, or from initiating, testifying, participating, or assisting in such 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 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, 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 Sections 10-18, 801-a, 2801 and 3214
8 NYCRR Section 100.2

NOTE: Refer also to Policies #1330 -- Appointments and Designations by the Board of Education
#3410 -- Code of Conduct on School Property
#3420 -- Non-Discrimination and Anti-Harassment in the School District
#5670 -- Records Management
#6471 -- Use of Email in the District
#7531 -- Sexual Harassment of Students
#8242 -- Civility, Citizenship and Character Education/Interpersonal Violence Prevention Education

Adopted: 6/18/12

Revised: 8/26/13; 5/18/15; 1/08/18