



NEW YORK STATE MIGRANT EDUCATION PROGRAM

TITLE: DASA for Students (1): Introduction to the NYS Legislation – Bullying, Harassment and Discrimination Prevention

DESCRIPTION: This workshop introduces students the NYS Dignity for All Students Act (DASA). The workshop will develop awareness around the issues of bullying, harassment, and discrimination and introduce how to use the structure of DASA to report concerns. Activities will help students develop self-advocacy skills. *(Updated December 2022 to use NYSED’s sample Incident Reporting Form.)*

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DASA SERIES: This is one of three workshops designed to assist students in the Migrant Education program with skill development pertaining to bullying and the NYS DASA legislation as it pertains to school climate and student safety. This is part of a larger series of workshops developed to inform Migrant Education parents, staff and students about how to utilize the NYS Dignity for All Students Act (DASA) legislation.

Facilitator Guide

OBJECTIVES/LEARNING TARGETS

- Students will be able to identify characteristics of bullying harassment and discrimination.
- Students will gain knowledge about NYS DASA Legislation and its role in creating safe schools.

WORKSHOP/MODULE DESIGN

This workshop is divided into three sessions to target skill sets students need. These can be used in any order. The targeted audience is Migrant Education students. Students will increase awareness to bullying in school and its connection to school attendance and school drop-out. Being able to support students and their families is vital to working to create positive learning environments for Migrant students. There are specific workshops for parents, staff and students.

CONNECTION TO THE NYS MEP THEORY OF ACTION

Subject Content and Instruction

- Basic knowledge of bullying, harassment and discrimination.
- Foundation skills in DASA Legislation and how it works with parents, schools, students, and community to create a safe learning environment and positive school culture.

Advocacy to Self-Advocacy

- To help students develop skills that both students and parents need for reporting bullying, harassment and discrimination
- To assist in teaching students Self-advocacy skills

Identity Development

- To develop awareness of how bullying, harassment and discrimination are created by the social structures that create unequal power dynamics
- To illustrate how DASA works to protect students who are easy targets of bullying due to social structures that create unequal power dynamics

WORKSHOP PREPARATION

To prepare for this workshop you should read the following:

- DASA Overview
- all of the handouts
- scan the DASA Legislation in the Appendix at page 13 of this Guide.

DASA Overview: “No student shall be subjected to harassment 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.” (Section 12, Article 1 of the New York State Dignity for All Students Act, New York State Education Law Article 2, Effective July 1, 2012.

- This was amended in 2013 to include Cyberbullying.
- You can read the full law in the Appendix at the end of this Guide.

Facilitator Note: All of the Participant Handouts are available in four languages: English, Burmese, Karen and Spanish. The vocabulary posters are only in English, but these vocabulary words and definitions are translated on the participant handout titled, NYS’s Protected Groups under the Dignity for All Students Act (DASA). The Power Point is only available in English.

SUPPLIES AND MATERIALS

- Power Point: *DASA for Students (1): Introduction to the NYS Legislation*
- Participant Handouts
 - New York State’s Protected Groups under the Dignity for All Students Act (DASA)

- What Does Bullying Look Like?
- Sample Incident Reporting Form
- Vocabulary Posters to hold or post Advocate, Bully, Bullying, Bystander, Cyberbullying, Discrimination, Harassment, Resources, School Climate, Target
- Name Tags, Pens, Markers
- Newsprint, Poster board, Tape

STAFFING NEEDS

- One facilitator
- Interpretation as needed
- Additional support staff to address issues of disclosure and provide support as needed.

Facilitator Note:

Workshop Set Up: Space that is conducive to movement and group work.

Time: The estimated time for this workshop is 1 ½ hours, when the workshop is conducted in one language. When adjusting to incorporating a second language with consecutive interpretation, a general rule is to double the time needed.

Limited Time: If you only have about 30 minutes, in one language, you can condense the presentation to **Slides 7, 8, 10 and 11**. Student questions and comments will guide you in deciding which areas they need more information and support.

Facilitator Note: Migrant students are more likely to be targeted for bullying, harassment and discrimination due to their family's migratory lifestyle, their ethnicity, and issues created by the current political climate. Helping students develop skills of self-advocacy are necessary along with fostering positive school connectedness.

Help students identify location of rest rooms, source of water or beverages, and turning off/silencing cell phones.

Additionally, stress the importance of keeping private what is shared in the group.

DASA for Students Introduction to the NYS Legislation (Slide 1) (2 minutes)

Facilitator Note: Greet participants as they arrive by welcoming them. This helps to establish the tone for the workshop and to establish a safe space for learning and sharing. Direct participants toward the sign in sheet, name tags and have them sit where they choose.

WELCOME

- Introduce yourself and share how long you have worked with Migrant Education and what your job is. This models for the participants what they will be doing during the sharing portions of the workshop.
- Share why this project is important to you and why you are involved with this training.

***It might sound like:** Welcome, I am glad you are here. I am _____. I work with the (program) and I am the (position). I have worked with _____ for ____ years.*

This workshop is DASA for Students: Bullying, Harassment and Discrimination Prevention.

It is designed to help students support those who are experiencing issues with bullying, harassment and discrimination.

HOUSEKEEPING (AND ICE BREAKER) (Slide 2)

(5 minutes)

Key Points

- Personal information may be shared during this workshop.
- Please keep information in this room.
- Put phones on vibrate.
- Location of restrooms.
- Other details as appropriate to your setting.
- Participant Introductions and tell something about themselves.

***It might sound like:** During this workshop, personal information may be shared, we ask that you respect other people's privacy and please keep that information within this room. Please place your cell phone on silent or vibrate, so this is not a distraction to others."*

Restrooms are located _____. There is water/beverages located _____, please help yourself.

I would like to start with a quick icebreaker so we can begin to learn about each other. Please share your name, what grade you are in and one thing like to do for fun.

Great, thank you all for sharing.

WORKING AGREEMENTS: (Slide 3)
(5 minutes)

Facilitator Note: Working agreements create a safe learning environment and allows the participants to create agreements for how to interact that help demonstrate respect, understanding and safety for all participants.

Key Points:

- Ask students to develop working agreements to create a safe environment where students feel comfortable sharing and participating freely in the workshop.

***It might sound like:** What are some agreements for how to treat each other that the group needs in order for all participants to feel safe in participating in the workshop?*

What are agreements about respect and privacy that the group should have?

Facilitator Note: Use chart-size newsprint to write student suggestions and post in room.

GOALS: What Do You Want to Learn? (Slide 4)
(5 minutes)

Facilitator Note: Pre-write the key goals for the workshop on newsprint, so ready to post. Leave room to add goals from the students.

Key Points

- Review goals identified for the workshop.
 - To learn how NYS DASA Legislation plays a role in creating safe schools.
 - To develop skills that will aide you in learning how to self-advocate.
- What do students want to learn about DASA and bullying?

***It might sound like:** I have identified some key goals to focus on during this workshop. They are listed on here (on newsprint). Let's review them together.*

Are there other goals you have? Great, I'm going to write them down on this list.

What do you want to know about bullying?

What skills do you need for standing up to a bully?

Do you know what DASA is and how it is intended to help students in New York State who are being bullied, harassed or discriminated against?

Wow, this is an amazing list; we will work to cover everything on it.

PARKING LOT (Slide 5)
(2 minutes)

Facilitator Note: Establish a paper for the Parking Lot. This is where questions go that are out of sequence for the workshop. They will be addressed as the workshop progresses. Check at the end of the workshop to be sure all questions have been answered. Some questions may need to be answered in a one-to-one meeting with the student if it is particularly sensitive.

***It might sound like:** You have sticky notes on your tables, if you have questions that we will answer later on in the workshop, I will ask you to write it down and put it in our parking lot.*

Does anyone have any questions to start with? Great, thank you.

VOCABULARY TO KNOW (Slide 6)

(10 minutes)

Facilitator Note: Students have definitions on pages 2-3 of the handout “New York State’s Protected Groups under the Dignity for All Students Act (DASA).” The handout is available in English, Burmese, Karen and Spanish. **Optional:** Each vocabulary word has a poster-sized definition in English, that the facilitator can use and post in the room. This handout will be used for slides 6, 7 and 8. Students can use this as a reference for the rest of the workshop.

Key Point

- Create foundational understanding and common definitions.

***It might sound like:** I want to start with a review of some of the key words we will be using during the workshop. I want to be sure that we are all familiar with these definitions. Please take out the handout called, “NYS’s Protected Groups under the Dignity for All Students Act (DASA) and review these words. The definitions start at the bottom of the first page.*

First, can anyone tell me what you think bullying is?

- *That’s great, thank you for sharing.*
- *Does anyone else have anything to add? That is terrific, thank you.*

Facilitator Note: Use the words on the Power Point slide as a guide to continue with the terms and definitions. For each vocabulary word, remember to check the written definition for any parts that participants may have missed.

WHAT IS DASA? (Slide 7)

(5 minutes)

Key Points

- DASA stands for Dignity for All Students Act.

- NYS legislation that went into effect in 2012 to cover identified protected groups.
- DASA legislation was amended in 2013 to include cyberbullying.

It might sound like: DASA stands for Dignity for All Students Act. This is NYS legislation that went into effect in 2012 to cover identified protected groups and provides support in stopping bullying, harassment and discrimination while additionally creating a safe school.

Let's take a look at page 1 in your handout with the definitions. In the middle, find the words, "DASA Overview." This is a short summary of this law:

"No student shall be subjected to harassment 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." (Section 12, Article 1 of the New York State Dignity For All Students Act, New York State Education Law Article 2, Effective July 1, 2012.)

New York State's DASA legislation was amended in 2013 to include cyberbullying.

- Why do you think they added that piece?
- Great, yes, it was added because it became clear that this was another way students were being bullied, harassed and discriminated against and that it was having a major impact on their lives.

Facilitator Note: Reviewing the scope of DASA provides the foundation for understanding this tool for helping students and parents form partnerships with schools.

COVERED GROUPS: NYS (11) (Slide 8)

(5 minutes)

Key Points: NYS (11) Groups Covered under DASA

- Race
- Color
- Weight
- National Origin/Ethnicity
- Religion
- Religious Practice
- Disability
- Sexual Orientation
- Gender
- Gender Identity or Expression
- Sex

Handout: New York State's Protected Groups under the Dignity for All Students Act (DASA)

It might sound like: *These are the 11 groups covered under the NYS DASA law. Schools must report to the state any incidences of bullying, harassment or discrimination against members of these groups.*

Are there any other examples of bullying that may occur in your school that are not represented here in the 11 groups?

- *Great, are there other examples?*
- *Yes, are there others?*
- *These are wonderful examples. Thank you.*
- *Many of these examples would still be reported as incidences of bullying; only they would fall under "CODE OF CONDUCT Issues.*

ACTIVITY: WHAT DOES BULLYING LOOK LIKE? (Slide 9)

(15 minutes)

Facilitator Note: You will need to divide participants into smaller groups. This can be done by counting off by a particular set of numbers or any other way you want to divide the group up. Each group will need newsprint, markers, tape and the handout, "What Does Bullying Look Like?"

Process

1. Divide into groups.
2. Give each group piece of newsprint and marker.
3. Give each group/participant a copy of the handout with the questions.
4. Select a recorder to write the groups' responses on the newsprint.
5. Select a person to share with the large group.
6. Ten minutes for small group discussion; five minutes for Large Group Process.

Handout: What does Bullying Look Like?

It might sound like: *I would now like to divide you into groups. Each group will be given a list of five questions to answer. The objective of this activity is to work in partnership to answer these questions on the handout.*

Have one person record the answers on the newsprint. Someone else from the group will share them with the large group.

Are there any questions? Great, let's begin.

Facilitator Note: You will want to circulate throughout the room listening to the groups as they discuss the questions and asking appropriate questions to draw out more participation in the group.

As most groups finish, give a one-minute warning and bring the group back together into the large group.

Listen for students who might want a one-on-one follow up discussion.

Large Group Process

- Give a 1-minute warning.
- Ask groups to volunteer to share.
- Ask discussion questions of the whole group:
 - *Are there any surprises that were shared?*
 - *Are there other situations you want to share?*
 - *How would you like the school to respond to these examples of bullying?*
 - *Are there any skills you need to help you advocate for the student or to help report the situation?*

WHO CAN REPORT? (Slide 10)

(5 minutes)

Key Points

- Under the DASA legislation, anyone connected with the school can report: Aides, coaches, janitors, teachers, administrators, secretarial staff, cafeteria workers, bus drivers, crossing guards, substitute teachers/aides/staff.
- Additionally, anyone from the community can report to school personnel. This includes member of the clergy, Migrant and agency staff, neighbors, etc.
- Parents and students can also report to school personnel.

It might sound like: *As you look at the pictures, who do you think can report the bullying is happening?*

Anyone can report an incident of bullying, harassment or discrimination. Any staff person can help file a complaint with the DASA coordinator. Students, parents and community members can report incidents of bullying, harassment and discrimination.

So the next question is, where do you make a report?

Facilitator Note: In New York State, when addressing issues of bullying that are not part of the eleven groups covered by DASA, the other incidents are covered by a school's Code of Conduct Policy and should be handled accordingly.

WHERE TO REPORT (Slide 11)

(10 minutes)

Key Points

- Tell someone at school, a parent, a friend.
- Find out who the DASA Coordinator is.
- Fill out a report.

Handout: Sample Incident Reporting Form

***It might sound like:** Start with the person you feel most comfortable with – someone at school, a parent, or a friend. Then fill out a report for your school’s DASA Coordinator to follow up with.*

Each school building has someone designated as the DASA Coordinator. Someone you trust at school can help you connect with the DASA Coordinator. A parent or friend can help you. The Guidance Office, Nurse and Main Office can look up who the DASA Coordinator is.

Each school has its own reporting form. We have a sample with the types of questions that might be on your school’s form.

Let’s look at the Sample Incident Reporting Form. There is basic information that needs to be completed and a school staff may be able to help facilitate this more easily.

I will read some of the sample questions ...

Does anyone have a question?

It is okay if you don’t have an answer for every single question, you can answer as much as you can and turn it in.

For assistance with completing the form, talk with a trusted teacher, coach, guidance counselor, principal etc. They can help facilitate the reporting process.

The DASA Coordinator will have questions to fill out a report. Each school designs its own reporting form, so they can all be different. NYSED’s sample Incident Reporting Form is available in English and 11 other languages, including Karen and Spanish, to give you an idea of what it could look like. For Burmese, we can use TASC’s older sample in Burmese & English.

Facilitator Note: If possible, the student should be involved with the reporting process to help learn self-advocacy and to receive needed support in dealing with the situation.

Facilitator Note: A complaint can be filed with any staff person, who would then complete a Report Form. The best recommendation is to schedule an appointment with the principal or guidance counselor to file a complaint. Also, include the student and parents if available.

The report is then submitted to the DASA coordinator. Every school building has a DASA coordinator. This is the person who will investigate the complaint and file it with the state. The investigation should be prompt. In most cases an investigation is started within 48 hours when possible.

To see the stats on a particular school, go to

http://www.p12.nysed.gov/irs/school_safety/school_safety_data_reporting.html

Not all schools who have a high number of reports have a critical issue under DASA guidelines, and not all schools who have low reporting statistics have a positive school climate that is safe.

ACTIVITY: WHY DON'T STUDENTS REPORT? (Slides 12 and 13)

(5 minutes)

Process

1. Students generate a list of reasons why students don't report.
2. After students finish brainstorming, move to the next slide, #13, for the top reasons why students do not report bullying.

***It might sound like:** Why would a student not report an incident of bullying at school?*

Are there people that a student may trust more than others? Do you feel safe sharing with someone? Why or why not?

The next slide (#13) shows the top reasons why students don't report; let's see what we have that is same. What is different?

ACTIVITY: SPEAK UP POSTER (Slide 14)

(15 minutes)

Process

- Poster board and markers for each group.
- Each group will create an Anti-Bullying Poster or a Poster of Support for a group being targeted by bullying.
- Posters are shared with larger group then hung up for everyone to see.
- Ten minutes to design, five minutes to share with whole group.

Facilitator Note: If these students already made a group poster in another DASA workshop, it is still a good activity for students to release their emotions. An alternative project could be to stay in their groups, but create their own, smaller, poster to take home. Ask for a volunteer from each group to share, rather than every student.

It might sound like: *In groups, you will be able to create a poster that could be used to help students being bullied or create an anti-bullying poster. Each group will share your poster and tell everyone what message you wanted to promote.*

Okay, take 5 more minutes to wrap it up.

Time is up, let's share. Is everyone finished? Who is ready to share first?

Group [1], would you share your poster and tell us what the message is you wanted to promote.

That's wonderful, so talented. Thank you. Please post your poster, _____.

Great. Next group, please share.

What power do you have to help someone targeted by bullying? Do you know who to report this to? What skills do you need to learn to prevent bullying?

Facilitator Note: Groups who want to continue working on their poster may have time to continue through the conclusion. Can these posters be hung up at the beginning of the next student activity? Or take pictures to text to students in the group? Or is there a student in each group who wants to take the poster home?

CONCLUSION (Slide 15)

(3 minutes)

Key Points

- Follow up questions
- Support and referrals as needed

It might sound like: *Do we have any questions left in the parking lot to answer?*

Do you have any other questions? If you prefer to ask me when we are done, I would be glad to speak with you.

Thank you so much for your hard work and commitment to helping us deal with bullying and working to create strong and supportive school.

Together we can STAND UP TO BULLYING!

THANK YOU FOR PARTICIPATING (Slide 16)

(2 minutes)

Wow, this was an amazing workshop. Give yourselves a round of applause for all your hard work and honesty in dealing with this import subject. APPLAUSE!!!!

If you know of other resources or have ideas to improve this workshop, please let me know.

Links to the DASA Resources on the NYSED Website:

New York State Education Department (NYSED) created three handouts for parents available in English and translated into 11 languages on NYSED’s website page titled, [*Dignity for All Students Act \(DASA\) Translated Resources*](#).

This workshop uses NYSED’s sample “Incident Reporting Form.” You can use these direct links to this sample reporting form: [*English PDF*](#) [*Karen PDF*](#) [*Spanish PDF*](#)

For Burmese, TASC’s older sample reporting form in Burmese and English can be downloaded from the NYS-MEP Website.

NYS Dignity for All Students Act (DASA) Legislation

N.Y. Education Law 10 – Legislative Intent

The legislature finds that students’ ability to learn and to meet high academic standards, and a school’s ability to educate its students, are compromised by incidents of discrimination or harassment including bullying, taunting or intimidation. It is hereby declared to be the policy of the state to afford all students in public schools an environment free of discrimination and harassment. The purpose of this article is to foster civility in public schools and to prevent and prohibit conduct which is inconsistent with a school’s educational mission.

N.Y. Education Law 11 – Definitions

For the purposes of this article, the following terms shall have the following meanings:

1. “School property” shall mean in or within any building, structure, athletic playing field, playground, parking lot, or land contained within the real property boundary line of a public elementary or secondary school; or in or on a school bus, as defined in section one hundred forty-two of the vehicle and traffic law.
2. “School function” shall mean a school-sponsored extra-curricular event or activity.
3. “Disability” shall mean disability as defined in subdivision twenty-one of section two hundred ninety-two of the executive law.
4. “Employee” shall mean employee as defined in subdivision three of section eleven hundred twenty-five of this title.
5. “Sexual orientation” shall mean actual or perceived heterosexuality, homosexuality or bisexuality.
6. “Gender” shall mean actual or perceived sex and shall include a person’s gender identity or expression.
7. “Harassment” and “bullying” shall 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. Acts of harassment and bullying shall include, but not be 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.

8. “Cyberbullying” shall mean harassment or bullying as defined in subdivision seven of this section, including paragraphs (a), (b), (c) and (d) of such subdivision, where such harassment or bullying occurs through any form of electronic communication.

N.Y. Education Law 12 – Discrimination and Harassment Prohibited

1. 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, or sex by school employees or students on school property or at a school function. Nothing in this subdivision shall be construed to prohibit a denial of admission into, or exclusion from, a course of instruction based on a person’s gender that would be permissible under section thirty-two hundred one-a or paragraph (a) of subdivision two of section twenty-eight hundred fifty-four of this chapter and title IX of the Education Amendments of 1972 (20 U.S.C. section 1681, et. seq.), or to prohibit, as discrimination based on disability, actions that would be permissible under section 504 of the Rehabilitation Act of 1973.
2. An age-appropriate version of the policy outlined in subdivision one of this section, written in plain-language, shall be included in the code of conduct adopted by boards of education and the trustees or sole trustee pursuant to section twenty-eight hundred one of this chapter and a summary of such policy shall be included in any summaries required by such section twenty-eight hundred one.

N.Y. Education Law 13 – Policies and Guidelines

The board of education and the trustees or sole trustee of every school district shall create policies, procedures and guidelines that shall include, but not be limited to Terms Used in N.Y. Education Law 13 (trustee: A person or institution holding and administering property in trust.)

1. Policies and procedures intended to create a school environment that is free from harassment, bullying and discrimination, that include but are not limited to provisions which:

- a. identify the principal, superintendent or the principal's or superintendent's designee as the school employee charged with receiving reports of harassment, bullying and discrimination;
- b. enable students and parents to make an oral or written report of harassment, bullying or discrimination to teachers, administrators and other school personnel that the school district deems appropriate;
- c. require school employees who witness harassment, bullying or discrimination, or receive an oral or written report of harassment, bullying or discrimination, to promptly orally notify the principal, superintendent or the principal's or superintendent's designee not later than one school day after such school employee witnesses or receives a report of harassment, bullying or discrimination, and to file a written report with the principal, superintendent or the principal or superintendent's designee not later than two school days after making such oral report;
- d. require the principal, superintendent or the principal's or superintendent's designee to lead or supervise the thorough investigation of all reports of harassment, bullying and discrimination, and to ensure that such investigation is completed promptly after receipt of any written reports made under this section;
- e. require the school, when an investigation reveals any such verified harassment, bullying or discrimination, to take prompt actions reasonably calculated to end the harassment, bullying 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 or discrimination was directed. Such actions shall be consistent with the guidelines created pursuant to subdivision four of this section;
- f. prohibit retaliation against any individual who, in good faith, reports, or assists in the investigation of, harassment, bullying or discrimination;
- g. include a school strategy to prevent harassment, bullying and discrimination;
- h. require the principal to make a regular report on data and trends related to harassment, bullying and discrimination to the superintendent;
- i. require the principal, superintendent or the principal's or superintendent's designee, to notify promptly the appropriate local law enforcement agency when such principal, superintendent or the principal's or superintendent's designee, believes that any harassment, bullying or discrimination constitutes criminal conduct;
- j. include appropriate references to the provisions of the school district's code of conduct adopted pursuant to section twenty-eight hundred one of this chapter that are relevant to harassment, bullying and discrimination;

- k. require each school, at least once during each school year, to provide all school employees, students and parents with a written or electronic copy of the school district's policies created pursuant to this section, or a plain-language summary thereof, including notification of the process by which students, parents and school employees may report harassment, bullying and discrimination. This subdivision shall not be construed to require additional distribution of such policies and guidelines if they are otherwise distributed to school employees, students and parents;
 - l. maintain current versions of the school district's policies created pursuant to this section on the school district's internet website, if one exists;
- 2. Guidelines to be used in school training programs to discourage the development of harassment, bullying and discrimination, and to make school employees aware of the effects of harassment, bullying, cyberbullying and discrimination on students and that are designed:
 - a. to raise the awareness and sensitivity of school employees to potential harassment, bullying and discrimination, and
 - b. to enable employees to prevent and respond to harassment, bullying and discrimination; and
- 3. Guidelines relating to the development of nondiscriminatory instructional and counseling methods, and requiring that at least one staff member at every school 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; and
- 4. Guidelines relating to the development of measured, balanced and age-appropriate responses to instances of harassment, bullying or discrimination by students, with remedies and procedures following a progressive model that make appropriate use of intervention, discipline and education, vary in method according to the nature of the behavior, the developmental age of the student and the student's history of problem behaviors, and are consistent with the district's code of conduct; and
- 5. Training required by this section shall address the social patterns of harassment, bullying and discrimination, as defined in section eleven of this article, 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 or sex, the identification and mitigation of harassment, bullying and discrimination, and strategies for effectively addressing problems of exclusion, bias and aggression in educational settings.

N.Y. Education Law 14 – Commissioner’s Responsibilities

The commissioner shall:

1. Provide direction, which may include development of model policies and, to the extent possible, direct services, to school districts related to preventing harassment, bullying and discrimination and to fostering an environment in every school where all children can learn free of manifestations of bias;
2. Provide grants, from funds appropriated for such purpose, to local school districts to assist them in implementing the guidelines set forth in this section;
3. Promulgate regulations to assist school districts in implementing this article including, but not limited to, regulations to assist school districts in developing measured, balanced, and age-appropriate responses to violations of this policy, with remedies and procedures following a progressive model that make appropriate use of intervention, discipline and education and provide guidance related to the application of regulations; and
4. Provide guidance and educational materials to school districts related to best practices in addressing cyberbullying and helping families and communities work cooperatively with schools in addressing cyberbullying, whether on or off school property or at or away from a school function.
5. The commissioner shall prescribe regulations that school professionals applying on or after December thirty-first, two thousand thirteen for a certificate or license, including but not limited to a certificate or license valid for service as a classroom teacher, school counselor, school psychologist, school social worker, school administrator or supervisor or superintendent of schools shall, in addition to all other certification or licensing requirements, have completed training on the social patterns of harassment, bullying and discrimination, as defined in section eleven of this article, 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 or sex, the identification and mitigation of harassment, bullying and discrimination, and strategies for effectively addressing problems of exclusion, bias and aggression in educational settings.

N.Y. Education Law 15 – Reporting by Commissioner

The commissioner shall create a procedure under which material incidents of harassment, bullying and discrimination on school grounds or at a school function are reported to the department at least on an annual basis. Such procedure shall provide that such reports shall, wherever possible, also delineate the specific nature of such incidents of harassment, bullying and discrimination, provided that the commissioner may comply with the requirements of this section through use of the existing uniform violent incident reporting system. In addition the

department may conduct research or undertake studies to determine compliance throughout the state with the provisions of this article.

N.Y. Education Law 16 – Protection of People Who Report Harassment, Bullying or Discrimination

Any person having 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, who, acting reasonably and in good faith, reports such information to school officials, to the commissioner or to law enforcement authorities, acts in compliance with paragraph e or i of subdivision one of section thirteen of this article, or otherwise initiates, testifies, participates or assists in any formal or informal proceedings under this article, shall have immunity from any civil liability that may arise from the making of such report or from initiating, testifying, participating or assisting in such formal or informal proceedings, and no school district or employee shall take, request or cause a retaliatory action against any such person who, acting reasonably and in good faith, either makes such a report or initiates, testifies, participates or assists in such formal or informal proceedings.

N.Y. Education Law 17 – Application

Nothing in this article shall:

1. Apply to private, religious or denominational educational institutions; or
2. 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.

N.Y. Education Law 18 – Severability and Construction

The provisions of this article shall be severable, and if any court of competent jurisdiction declares any phrase, clause, sentence or provision of this article to be invalid, or its applicability to any government agency, person or circumstance is declared invalid, the remainder of this article and its relevant applicability shall not be affected. The provisions of this article shall be liberally construed to give effect to the purposes thereof.