

## ***SBECA Dignity for All Students Act (DASA) Policy***

SBECA is committed to providing a safe and productive learning environment in which all students are treated with respect and dignity. In accordance with New York State's Dignity for All Students Act ("DASA"), SBECA will promptly address all incidents of harassment and/or discrimination of or by any student enrolled at the school. This includes bullying, taunting or intimidation in all their myriad forms.

### **Policy Definitions**

*"School property"* means 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 142 of the vehicle and traffic law.

*"School function"* means a school-sponsored extra-curricular event or activity.

*"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.

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

### **Students' Rights**

No student shall be subjected to harassment or bullying, including cyberbullying, by employees or students on school property or at a school function. Additionally, no student shall be subjected to discrimination based on the student'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.

SBECA's Code of Conduct prohibits harassment and bullying, and students who engage in such behavior will be disciplined as set forth in the Code of Conduct. Further, the school reserves the right to discipline students, consistent with our Code of Conduct, who engage in harassment or bullying of students off school property under circumstances where such off-campus conduct:

- Affects the educative process;

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- Endangers the health and safety of SBECA students within the educational system; or
- Is reasonably believed to pose a danger to the health and safety of school students within the educational system.

This includes verbal and non-verbal harassment or bullying which materially and substantially disrupts the work and discipline of the school and/or which school officials reasonably forecast as being likely to materially and substantially disrupt the work and discipline of the school.

Additional Dignity Act (DASA) measures include the following:

- At the beginning of each school year we remind our students about the importance of respecting each other, being polite and maintaining a civil environment. We explain that bullying and harassment based on differences (including but not limited to differences in race, ethnicity, religion, gender, physical appearance and disabilities) are hurtful and can be considered “discrimination” under DASA and our Code of Conduct.
- Students are reminded that harassment and bullying (including cyberbullying) are violations of our Code of Conduct, whether they occur on school property, traveling to and from school, at a bus stop used by students, at any school function, including any school-sponsored activity, or even away from school property under certain situations, such as if electronic communication is used to exchange words or pictures that have the effect of bullying or harassing a fellow student.

#### Dignity Act Coordinator (DAC)

SBECA has designated the school’s Director of School Culture to serve as the Dignity Act Coordinator (DAC). The DAC is trained to handle human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practice, disability, gender and sex. The name and contact information for the DAC (Director of School Culture) is posted on the school’s website and is as follows: Jillian Williams, email [jwilliams@sbecacs.org](mailto:jwilliams@sbecacs.org). Phone: (929) 291-7700 x210.

The DAC is accessible to students and other employees for consultation and advice. Students and parent/guardians are encouraged to call the DAC to report instances of harassment, bullying or discrimination.

#### Reporting and Investigating

All SBECA staff members are responsible for reporting harassment, bullying or discrimination of which they have been made aware to their immediate supervisor. Any student who believes that he/she/they is being subjected to harassment, bullying or discrimination, as well as any other person who has knowledge of or witnesses any possible occurrence of harassment, bullying or discrimination, shall report the harassment to any staff member, the DAC, or to the Principal. A staff member who witnesses harassment, bullying or discrimination or who receives an oral or written report of harassment, bullying or discrimination shall promptly orally notify the Principal not later than one school day after witnessing, or receiving a report of, such acts and shall file a written report with the Principal not later than two school days after making such oral report.

The Principal shall promptly investigate the complaint and take appropriate action to include, as

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necessary, referral to the next level of supervisory authority (e.g., the Board of Trustees) and/or other official designated by the Board to investigate allegations of harassment, bullying or discrimination. When an investigation reveals any such verified harassment, bullying or discrimination, the School will take prompt actions that are reasonably calculated to: end the harassment, bullying or discrimination; eliminate any hostile environment; create a more positive school culture and climate; and prevent recurrence of the behavior. Any such actions shall be consistent with SBECA's Code of Conduct.

As described in the Code of Conduct, SBECA utilizes a student-centered approach to discipline to ensure that students grow and learn. Whenever possible, the school's initial response to any inappropriate behavior, including harassment, bullying or discrimination, will take place in the classroom before moving to the School Culture Center, where restorative conversations, reflections, individual behavior plans and other age-appropriate and progressive responses are implemented before traditional discipline is imposed. Follow-up inquiries and/or appropriate monitoring of the alleged harasser and victim shall be made to ensure that the harassment, bullying or discrimination has not resumed and that those involved in the investigation of allegations of harassment, bullying or discrimination have not suffered retaliation.

Material incidents of discrimination and harassment on school grounds or at a school function will be reported to the State Education Department as required by law.

The Principal shall promptly notify law enforcement authorities when the Principal believes that any harassment, bullying or discrimination constitutes criminal conduct.

#### No Retaliation

SBECA prohibits any retaliatory behavior directed against complainants, victims, witnesses, and/or any other individuals who participate in the investigation of allegations of harassment. All complainants and those who participate in the investigation of a complaint in conformity with state law and school policies, who have acted reasonably and in good faith, have the right to be free from retaliation of any kind.

#### Distribution of Policy

SBECA shall distribute a written or electronic copy of this Policy to all employees, students, and parents/guardians at least once during every school year.