

# **New York State Education Department Dignity for All Students Act (Dignity Act)**

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## **Data Reporting Overview Webinar**



Dignity Act Data Reporting Overview Webinar: September 2012

Welcome to the Dignity for All Students Act overview webinar on annual data reporting.

Questions on this webinar may be directed to:  
[DASA@MAIL.NYSED.GOV](mailto:DASA@MAIL.NYSED.GOV).

## Dignity Act Reporting Basics

- **Required by New York State Education Law Article 2 – Section 15**
- **Implemented by Commissioner’s Regulation 8 NYCRR 100.2(kk)**



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Section 15 of the Dignity for All Students Act requires, and Commissioner’s Regulation 100.2(kk) implements, a requirement that all material incidents of harassment and/or discrimination be reported to the New York State Education Department on an annual basis.

# Dignity Act Reporting Basics

- **Annual public school report to the State Education Department summarizing all material incidents of discrimination and/or harassment which occur on school property (including a school bus) and/or at a school function**



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Annual Dignity Act reporting must be submitted to the State Education Department by BOCES, school districts, and charter schools.

The purpose of the annual report is to summarize all material incidents of discrimination and/or harassment which occurred on school property (including on school buses) and/or at school functions in the previous school year.

The report for the 2012-13 school year will be due at the conclusion of that school year in September 2013.

# Dignity Act Reporting Basics

- **The report for the 2012-13 (July 1, 2012 to June 30, 2013) school year will be due following the conclusion of the 2012-13 school year.**
- **Reports will be accepted from: August 19, 2013 to September 27, 2013.**

<b>September 2013</b>						
Sun	Mon	Tues	Wed	Thu	Fri	Sat
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

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Reports will be accepted between August 19, 2013 and September 27, 2013.

Please note that the annual reporting process will coincide with the annual VADIR reporting, however the data from these two processes will be independent of each other.

## Dignity Act Reporting Basics

- The method through which schools compile and maintain Dignity Act-related data throughout the school year is a local decision.
- The annual Dignity Act reporting will be performed using a standardized on-line format provided by NYSED.



The method through which schools compile and maintain Dignity Act-related data throughout the school year is a local decision. The State Education Department has no plan to develop a standardized data collection system, nor will the Department recommend any specific data collection systems.

The annual Dignity Act report will be submitted using a standardized on-line format which will be provided by the State Education Department.

## Defining A Material Incident of Discrimination and/or Harassment

- A single incident or a series of related incidents where a student is subjected to discrimination and/or harassment by a student and/or employee on school property or at a school function that creates a hostile environment by conduct, with or without physical contact and/or by verbal threats, intimidation or abuse, of such severe or pervasive nature 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 and/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.

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It is critical that schools keep in mind that only MATERIAL INCIDENTS of discrimination and/or harassment are to be reported on the annual submission to the State Education Department.

Material incidents are defined as:

A single incident OR a series of related incidents where a student is subjected to discrimination and/or harassment by a student AND/OR employee on school property or at a school function that creates a hostile environment by conduct, with or without physical contact and/or by verbal threats, intimidation, or abuse of such severe or pervasive nature 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 and/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.

## Dignity Act Reporting Basics

- **Material incidents of discrimination and/or harassment include, but are 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.**

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Material incidents of discrimination and/or harassment include, but not are 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.

**Annual report of material incidents of discrimination and/or harassment that:**

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

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In addition, the annual report of material incidents of discrimination and/or harassment should only include the following:

- Incidents that **are the result of the investigation** of a written or oral complaint made to the school principal or other school administrator responsible for school discipline, or to any other school employee; **or**
- Incidents that are otherwise **directly observed** by such principal or administrator, or by any other school employee regardless of whether a complaint is made.

**REPORT OF INCIDENTS CONCERNING SCHOOL SAFETY  
AND THE EDUCATIONAL CLIMATE  
July 1, 2012 through June 30, 2013**

School Name: \_\_\_\_\_

**Do NOT send this  
paper form to SED**

BEDS Code (12 digits): \_\_\_\_\_

*This paper form must be used only for the local gathering of data. Data represented in this form are required to be submitted to SED via the online BEDS IMF application. Your district's BEDS coordinator or superintendent will have details and protocol for entering data.*

**PART 2: DIGNITY FOR ALL STUDENTS ACT (DIGNITY ACT)**

Report all material incidents of discrimination and/or harassment, even if they occurred in combination with other incidents reported under the VADIR categories above. If a material incident involves more than one category of discrimination and/or harassment, include all counts in all categories that apply. Category definitions are summarized in this document and detailed in the *Glossary Of Terms Used In Reporting Incidents Concerning School Safety And The Educational Climate*. For additional information on the Dignity for All Students Act (including definitions, instructions and Q&A documents), please consult the resource documents located at <http://www.p12.nysed.gov/dignityact/>.

**1. Material Incidents of Discrimination and/or Harassment:**

Incident Types	Nature of Material Incidents of Discrimination and/or Harassment (Duplicated counts. Incidents must be counted more than once if they involve more than one category)												
	Race (a)	Ethnic Group (b)	National Origin (c)	Color (d)	Religion (e)	Religious Practice (f)	Disability (g)	Gender (h)	Sexual Orientation (i)	Sex (j)	Weight (k)	Other (l)	Total (m) <sup>1</sup>
1 Total number of incidents <sup>2</sup>													
2.a Incidents occurring on school property													
2.b Incidents occurring at school-sponsored function off school grounds													
3.a Incidents involving intimidation or abuse but no verbal threat or physical contact													
3.b Incidents involving verbal threat but no physical contact													
3.b Incidents involving physical contact but no verbal threat													
3.d Incidents involving both verbal threat and physical contact													
4.a Incidents involving only student offenders													
4.b Incidents involving only employee offenders													
4.c Incidents involving both student and employee offenders													

<sup>1</sup> For each incident type: (m) = (a) + (b) + (c) + (d) + (e) + (f) + (g) + (h) + (i) + (j) + (k) + (l)

<sup>2</sup> For each category of discrimination/harassment: 1 = 2.a + 2.b and 2 = 3.a + 3.b + 3.c + 3.d and 3 = 4.a + 4.b + 4.c

The annual Dignity Act report will be included in the **Report of Incidents Concerning School Safety and the Educational Climate – Part 2: Dignity for All Students Act** and will include a **Dignity Act Superintendent Certification box**. (NOTE – Part 1 will be the VADIR report.)

While Dignity Act report is included in the same form as the VADIR report, there are **no plans** that the data collected through the Dignity Act report relate to VADIR or be counted toward the School Violence Index (SVI) used to determine “persistently dangerous” designations.

## Annual Reporting Categories

- The type(s) of bias involved (actual or perceived **race**, **color**, **weight**, **national origin**, **ethnic group**, **religion**, **religious practice**, **disability**, **sexual orientation**, **gender**, **sex**, or other).
- Where multiple types of bias are involved, they shall all be reported.



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The annual Dignity Act report will include specific categories of material incidents of discrimination and/or harassment grouped into specific type(s) of bias involved (actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, sex or other).

Where multiple types of biases are involved, they must all be reported.

For example:

- if a student is the victim of a single material incident of harassment and/or discrimination due to their religion and their national origin – both types of bias must be reported for that same incident.

# Annual Reporting Categories

## 1. Total number of incidents

### 2.a. Incidents occurring on school property

### 2.b. Incidents occurring at school-sponsored functions off school grounds



Within each type of reported biases, the location where any material incidents of harassment and/or discrimination took place must be reported. These include the following:

1. The total number of material incidents in each “bias category”
- 2.a. The total number of material incidents which occurred on school property. (keep in mind that this includes but is not limited to the school bus, the playground, athletic fields, and parking lots)
- 2.b. The total number of material incidents which occurred at school-sponsored functions off school grounds. This may include but is not limited to events such as the prom or a field trip.

## Annual Reporting Categories

- 3.a. Incidents involving intimidation or abuse, but no verbal threat or physical contact**
- 3.b. Incidents involving verbal threat, but no physical contact**
- 3.c. Incidents involving physical contact, but no verbal threat**
- 3.d. Incidents involving both verbal threat and physical contact**

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Reporting will also include categories related to threats. These include:

- 3.a. Incidents involving intimidation or abuse, but no verbal threat or physical contact
- 3.b. Incidents involving verbal threat, but no physical contact
- 3.c. Incidents involving physical contact, but no verbal threat
- 3.d. Incidents involving both verbal threat and physical contact

## Annual Reporting Categories

- 4.a. Incidents involving only student offenders**
- 4.b. Incidents involving only employee offenders**
- 4.c. Incidents involving both student and employee offenders**

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The report will also ask whether the initiator or aggressor of the incidents involved students, school employees, or both.

## Protection of people who report discrimination and/or harassment

- Pursuant to Education Law section 16, **any person having reasonable cause to suspect that a student has been subjected to discrimination and/or harassment** by an employee or student, on school grounds or at a school function, who acting reasonably and in good faith, either reports such information to school officials, to the commissioner, or to law enforcement authorities or otherwise initiates, testifies, participates or assists in any formal or informal proceedings under this subdivision, **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.**

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Encouraging students and staff to report incidents of discrimination and/or harassment is absolutely essential to curtailing such incidents. To do this, Section 16 of the Dignity Act includes the following legal protection for those who report such incidents:

- any person having reasonable cause to suspect that a student has been subjected to discrimination and/or harassment by an employee or student, on school grounds or at a school function, who acting reasonably and in good faith, either reports such information to school officials, to the commissioner, or to law enforcement authorities or otherwise initiates, testifies, participates or assists in any formal or informal proceedings under this subdivision, 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.

## Protection of people who report discrimination and/or harassment

- **No school district, BOCES or charter school, or an employee thereof, 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.**



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This section of law further states that:

- No school district, BOCES or charter school, or an employee thereof, 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.



**Remember - the goal of the Dignity for All Students Act is to provide ALL New York State public school students with a safe and supportive environment free from discrimination, intimidation, taunting, harassment, and bullying on school property and/or at a school function.**

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Remember - the goal of the Dignity for All Students Act is to provide ALL New York State public school students with a safe and supportive environment that is free from discrimination, intimidation, taunting, harassment, and bullying on school property and/or at a school function.

## Where can I get more information on the Dignity Act?

- **New York State Education Department  
Office of Student Support Services**
- **518-486-6090**
- **DASA@MAIL.NYSED.GOV**
- **Dignity Act Web Site**  
– **[www.p12.nysed.gov/dignityact](http://www.p12.nysed.gov/dignityact)**



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For additional information and resources on the Dignity Act, please visit the Education Department's Dignity Act web site at:

[www.p12.nysed.gov/dignityact](http://www.p12.nysed.gov/dignityact) or the Dignity Act Facebook page at:  
[www.facebook.com/dignityact](http://www.facebook.com/dignityact).

To ask questions related to the Dignity Act please email:  
[DASA@MAIL.NYSED.GOV](mailto:DASA@MAIL.NYSED.GOV) or call 518-486-6090.

Thank you for your time.