



Overview

Students should never feel that it is not safe for them to come to school and participate in all school activities. They should never be prevented from concentrating on their schoolwork because another student or a staff member is teasing them, pushing them around, or threatening them in some way.

To that end, Challenge Charter School is committed to promptly addressing any incidents of bullying, harassment, and discrimination that could impede our students' ability to learn or feel safe. This includes incidents that take place not only on school property, but also outside of school grounds, if the incident can reasonably be expected to become a disruption to the school environment or where it is foreseeable that the negative conduct might reach school property.

What is the Dignity Act?

Since July 2012, New York State has provided an official framework for how schools respond to negative behavior, such as bullying, harassment, intimidation, taunting, or discrimination. The Dignity for All Students Act, or DASA, outlines requirements for reporting and investigation, requires staff training on prevention and intervention, and identifies related communications for notifying parents and students about DASA-related topics.

DASA specifically calls for the protection of students from harassment, bullying (including cyberbullying), or discrimination by employees or other students. According to the New York State Education Department, the aim of DASA is not to increase punishment, but rather to foster social interaction among students as a way to maintain a safe learning environment that results in less bullying, an increased ability to identify individual students who are being bullied, and an instilled responsibility to inform the necessary authorities when a peer is a victim of bullying, harassment, or discrimination.

Who is Protected Under the Dignity Act?

DASA specifies that students should not be subject to discrimination, bullying, or harassment, either actual or perceived, based on, but not limited to, the following: race, color, ethnic group, national origin, disability, religious practice, religion, weight, sexual orientation (person's emotional and sexual attraction to others), gender (socially constructed system of classification that ascribes qualities of masculinity and femininity to people), sex (physical/biological characteristics that define male versus female).

What Constitutes a DASA-Level Incident?

An incident can be either a single or series of related verifiable occurrences. Other forms of discrimination that are not specifically named may also be prohibited, but not all misbehavior that takes place in school settings falls under the umbrella of DASA. The behavior in question may be accidental, for example, involving no real intent to harm. Or the incident may be a reflection of the student's immaturity, rather than of any malicious intent. These behaviors are no less serious than actual bullying, however, they do require different prevention and response strategies.

DASA coordinators are trained to identify whether a particular behavior or situation constitutes a DASA-level incident, and they have network support available to consult with if they need assistance.

What is Harassment?

Harassment is the creation of a hostile environment by conduct or verbal threats, intimidation, or abuse that is continued and unwanted.

What is Discrimination?

Discrimination is the denial of equal treatment, admission, and/or access to programs, facilities, and services based on the person's actual or perceived membership in a certain group or category.

What is Bullying?

Bullying is unwanted, intentional, aggressive behavior that involves a real or perceived power imbalance. The behavior is repeated, or has the potential to be repeated, and can occur before and after school hours in a school building, on a playground, on a school bus while a student is traveling to or from school, or on the Internet.

What is Cyberbullying?

Cyberbullying is bullying that takes place through the use of electronic devices/technology.

What Should I Do if I Think My Child is a Victim of a DASA-Level Incident?

If you think your child is being harassed, bullied, or discriminated against, speak with them immediately. If they indicate that they have been victimized, find out important details such as when, where, why, how, by whom, etc. Based on their responses, if you

believe that your child may be a victim, report it to your student's teacher, principal, or a DASA coordinator immediately. Students should also be encouraged to directly report incidents of bullying, harassment, and discrimination if they are a victim or witness to such behavior.

Students and parents can report a suspected incident either verbally or in writing to teachers or principals (who will notify a DASA coordinator) or they may notify a DASA coordinator directly. Although it is not necessary for parents and/or students to complete an official DASA Reporting Form to report an incident, this document is available on our website at challengecharterschools.org and may be completed if desired. The DASA coordinator can also assist parents and/or students in completing the form.

Who Are the DASA Coordinators?

At least one employee in each of our school buildings is designated as a DASA coordinator. The coordinators, who are trained in accordance with the New York State Education Department (NYSED), are charged with investigating reports of harassment, bullying, or discrimination in their respective buildings.

Each DASA coordinator is trained to handle human relations and the social patterns of harassment, bullying, and discrimination. Approved by the Department of Education, they are a valuable resource for parents or children dealing with a DASA-level situation.

The DASA coordinators are supported by the Networks Director of Pupil Personnel Services. With regard to reports which may have violated a student's Civil Rights or which may rise to the level of sexual harassment or assault, the Director of Pupil Personnel Services will conduct the investigation. In some instances, an outside appointed trained designee may also conduct an investigation.

How Does the Process of Reporting a DASA Complaint Work?

Challenge encourages and expects students, parents, and staff who have observed, been subjected to, or been informed of harassment, bullying, or discrimination to report the incident(s) in a timely manner.

School employees who witness or receive an oral or written report of harassment, bullying, or discrimination should:

- Notify the DASA coordinator/designated person verbally no later than one school day after witnessing/receiving a report;
- File a written report with the DASA coordinator/designated person no later than two school days after receiving the initial report.
- If you have followed this procedure and talked with the designated school personnel at your child's school and are not getting any help, then you are

encouraged to take your concerns to the next level. The levels of contact to escalate an issue typically are:

- DASA Coordinator
- Principal
- Director of Pupil Personnel Services
- CEO and founder

If you have questions about this process, you can contact the NYSED Office of Student Support Services at DASA@nysed.gov or www.p12.nysed.gov/dignityact/.

Conducting an Investigation

Upon notification of a DASA complaint, the Director of Pupil Personnel Services may lead or supervise a thorough and timely investigation. Both the accused and the complainants, along with any witnesses, will be interviewed.

When necessary, Challenge will take immediate steps to protect complainants pending the final outcome of an investigation. These steps may include (but are not limited to) academic accommodations, altering academic schedules for either the complainant or accused, changing locker locations, allowing complainant to withdraw from or retake a class without penalty, and/or providing an escort to ensure that the complainant can move safely between classes or other activities.

While there is no legal timeline as to how long any one investigation should take to complete, we believe it is in the best interest of all parties that an investigation be prompt, thorough, and accurate.

Notification of Outcome

Both the complainants and the accused will receive a report outlining the outcome of the investigation, including a description of the alleged incident, an overview of the investigative process, and any action taken. If disciplinary action is taken against the accused, specifics may not be shared with the complainant or community at large. New York State Education Law protects the confidentiality of all students, including those found guilty of wrongdoing.

Responding to Verified Reports

If the investigation reveals that harassment, bullying, or discrimination has occurred, Challenge will take prompt action, eliminating any hostile environment, creating a more positive school culture and climate, preventing recurrence of the behavior, and ensuring the safety of the student(s) against whom the harassment, bullying, or discrimination was directed. Discipline will be consistent with the Code of Conduct and include a measured, balanced, and age-appropriate response that makes appropriate use of

prevention, education, intervention, and discipline. Consideration will be given to the nature and severity of the behavior, the developmental age of the offending student, and their history of problem behaviors.

Disputing Results

Either the complainant or the accused may appeal the findings of an investigation, in writing, within 10 days of receipt of the decision. Appeals should be directed to the CEO and founder.

What Happens When Receiving a DASA-Level Complaint?

The parent/student/witness reports suspected bullying, harassment, and/or discrimination to the student's teacher, principal, or school's DASA coordinator. The report is done either verbally or in writing.

Within One School Day

Staff receiving a complaint verbally notifies a DASA coordinator.

Within Two School Days

Staff receiving a complaint notifies a DASA coordinator in writing.

Action Accommodations

If necessary, immediate steps are taken to protect complainants pending the investigation's final outcome. These steps may include, but are not limited to, academic accommodations, altering academic schedules for either the complainant or accused, changing locker locations, allowing complainant to withdraw from or retake a class without penalty, and/or providing an escort to ensure that the complainant can move safely between classes or other activities.

Investigation

Director of Pupil Personnel Services conducts/supervises a prompt, thorough, and accurate investigation, which includes interviewing complainant, accused, and any witnesses. (DASA coordinators or other appointed designees may also conduct investigations.)

Results Findings

Both the complainants and the accused receive a report outlining the outcome of the investigation, including a description of the alleged incident, an overview of the investigative process, and any action taken.

District-Level Appeal

Either the complainant or the accused may appeal the findings of an investigation, in writing, within 10 days of receipt of the decision. Appeals should be directed to the CEO and Founder.

Board-Level Appeals

If the CEO and Founder upholds the findings, the decision may be appealed to the schools Board Chair, in writing, within 10 days.

Response Remedies

If investigation verifies that harassment, bullying, or discrimination occurred, Challenge will take prompt action with a view towards ending negative behavior, eliminating any hostile environment, creating a more positive school culture and climate, preventing recurrence, and ensuring the safety of the victims.

Discipline

Discipline is applied in the form of a measured, balanced, and age-appropriate response consistent with the Code of Conduct. Consideration is given to the nature and severity of the behavior, the developmental age of the offending student, and the student's history of problem behaviors. Specific disciplinary action is not shared, as laws ensuring confidentiality protect all students.

District Reporting Responsibilities

The DASA coordinator, CEO, or principal will promptly notify law enforcement when it is believed that any harassment, bullying, or discrimination constitutes criminal conduct. These procedures are outlined in the Code of Conduct.

Annually, the principal must report data and trends related to harassment, bullying, or discrimination to the CEO, who in turn reports all material incidents annually to the New York State Commissioner of Education. These reports include:

- the type of harassment, bullying, or discrimination;
- the location of the incident (on school property, at a school function, off of school property);
- the involved parties; and
- the type of bias involved.

Prohibition of Retaliatory Behavior (Whistle-Blower Protection)

Challenge strictly prohibits any retaliatory behavior directed at any complainant, victim, witness, or any other individual who participates in the reporting or investigation of an incident of alleged harassment, bullying, or discrimination.

In addition, any person who acts reasonably and in good faith in reporting bullying, harassment, or discrimination to school officials, the Commissioner, or law enforcement authorities, or who otherwise initiates, testifies, participates, or assists in any formal or informal proceedings shall also be protected. Such individuals will have immunity from any civil liability that may arise from making that report or from initiating, testifying, participating, or assisting in those proceedings.

Where Can I Learn More About DASA?

Language relating to the Dignity Act has been included in the Code of Conduct, which is reviewed annually. The Code is updated as necessary to reflect current and/or anticipated challenges resulting from the evolution of culture and technology.

You may also contact our Director of Pupil Personnel Services, Tameeka Richards, by calling (646) 919-7259 or emailing TRichards@challengecharterschools.org

Understanding Bullying

Bullying and Harassment involve the creation of a hostile environment either through conduct or through threats, intimidation, or abuse, including cyberbullying, that:

- interferes with a student's educational performance, opportunities, or benefits, or their mental, emotional, or physical well-being;
- causes, or could be expected to cause, a student to fear for his or her physical safety;
- causes, or could be expected to cause, physical injury or emotional harm to the student; or
- occurs off school property and creates, or could be expected to create, a risk of disruption within the school environment.

Examples of Bullying

It is not always easy to determine whether a behavior is bullying. For instance, not everyone is always going to like one another, and it is natural for students to include their friends and exclude others when playing. Although unpleasant, in most cases this is not bullying. Anyone uncertain of whether or not a behavior is bullying should always consult a DASA coordinator. Types of bullying include:

Verbal bullying: Name calling, teasing, sexual comments, taunting, and threatening to cause harm.

Social bullying: Spreading rumors about someone, excluding others on purpose, telling other children not to be friends with someone, and embarrassing someone in public.

Physical bullying: Hitting, punching, shoving, kicking, pinching, spitting, tripping, pushing, taking or breaking someone's property, and making mean or rude hand gestures.

Emotional bullying: Cruelly and deliberately attempting to hurt or humiliate someone, including teasing, spreading rumors, and excluding from activities.

Cyberbullying: Using digital devices like cell phones, computers, and tablets to send, post, or share negative, harmful, false, or mean content about someone else causing embarrassment or humiliation.

Microaggressions: Subtly and often unconsciously or unintentionally expressing a prejudiced attitude (via a comment or action) toward a member of a marginalized group.

Characteristics of Bullying Behavior

- Persistent
- Repeated
- Targets specific individual(s)
- Intended to cause fear or harm (physically or emotionally)
- Intended to hurt feelings
- Reduces self-esteem or damages reputation

Possible Signs of Bullying

- Unexplained injuries;
- Lost or destroyed clothing or other possessions;
- Feeling sick or faking illness;
- Difficulty sleeping or frequent nightmares;
- Avoidance of certain areas, such as the playground or restroom;
- Declining grades or a loss of interest in school;

- Sudden loss of friends or avoidance of social situations;
- Decreased self-esteem and/or self-destructive behaviors such as running away or talk of suicide.

How Do I Talk to My Child About Bullying?

- Explain what bullying is and make sure they understand that it's unacceptable behavior;
- Keep the lines of communication open. Know your child's friends, ask about their day, and listen to questions or concerns;
- Encourage your child to talk to you or a trusted adult at school if they are bullied or witness an incident of bullying;
- Serve as a role model by treating others with respect and understanding.

Signs That Your Child May Be Bullying Others

- Getting into physical or verbal fights;
- Disregarding/disrespecting other people's feelings;
- Disrespecting authority;
- Unexplained extra money or new belongings;
- Blaming others for problems;
- Lying to get out of trouble;
- Deliberately hurting pets or animals;
- Using anger to get what they want;
- Refusing to accept responsibility for actions.

What Should I Do if I Think My Child is Bullying Others?

- Talk to your child about the specific behavior and why it's wrong and won't be tolerated;
- Find out why your child bullied in order to understand the reasons and offer solutions;
- Use any disciplinary consequences to teach, not humiliate;
- Call your child's teacher, principal, social worker, or school counselor to talk about what happened and strategies for moving forward;
- Explain how their behavior impacts others.

Helpful Links/Resources

New York State Education Department DASA Website: www.p12.nysed.gov/dignityact

Transgender

Guidance: www.p12.nysed.gov/dignityact/documents/Transg_GNCGuidanceFINAL.pdf

Guidance Related to Students of Immigrant

Families: www.p12.nysed.gov/dignityact/documents/dasa-guidance.pdf

Stop Bullying.Gov Parent Page : www.stopbullying.gov/what-you-can-do/parents/index.html

Statement of Non-Discrimination

Challenge Charter Schools condemns and prohibits all forms of discrimination and harassment based on actual or perceived race, color, weight, physical size/shape, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex. If you believe that you have been discriminated against, you may make a claim that your rights have been denied. This claim or grievance may be filed with the

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