Bronx Charter School for the Arts

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DASA Policy

STUDENT DISCRIMINATION, HARASSMENT, AND BULLYING PREVENTION AND INTERVENTION POLICY

Policy Statement

The Board of Trustees (the "Board") for the Bronx Charter School for the Arts (the "School") recognizes that learning environments that are safe and supportive can increase student attendance and improve academic achievement. A student's ability to learn and achieve high academic standards, and a school's ability to educate students, is compromised by incidents of discrimination or harassment, including but not limited to bullying, taunting and intimidation.

Therefore, in accordance with the Dignity for All Students Act (the "Act"), the Board will aim to create an environment free of bullying, cyberbullying, discrimination and/or harassment and will foster civility in School to prevent and prohibit conduct which is inconsistent with the school's educational mission. This policy will be strictly enforced.

Bullying Prohibited

The Board condemns and prohibits all forms of bullying, discrimination and/or harassment of students based on actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, sex or any other protected characteristic. This restriction applies to school employees, students, parents, school contractors, or visitors on School Property and at School Functions. In addition, any act of bullying, cyberbullying, discrimination and/or harassment at School Functions, which can reasonably be expected to materially and substantially disrupt the education process or a student's education, is strictly prohibited.

Definitions

For purposes of this policy, the following terms will be defined as follows:

1. "School property" means in or within (1) any building, structure, athletic playing field, playground, parking lot, or land contained within the real property boundary line of the School and (2) a school bus.
2. "School function" shall mean a school-sponsored extracurricular event or activity, including but not limited to school concerts, sporting events, or any event where speakers are invited to speak with students. Included in this definition are events that take place off school property, such as competitions in other schools.
3. "Sexual orientation" shall mean actual or perceived heterosexuality, homosexuality or bisexuality.

4. "Gender" shall mean actual or perceived sex and shall include a person's gender identity or expression. This means that discrimination or harassment against transgendered, gay, or lesbian students is prohibited
5. "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.
6. "Cyberbullying" shall mean harassment or bullying that occurs through any form of electronic communication, such as home computers, iPads, cell phones, or other electronic devices. For example, harassing messages sent through Facebook may constitute cyberbullying.
7. Threats, intimidation, or abuse shall include verbal and non-verbal actions.
8. "School Bus" means every motor vehicle owned by a public or governmental agency or private school and operated for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity, to or from school or school activities or privately owned and operated for compensation for the transportation of pupils, children of pupils, teachers and other persons acting in a supervisory capacity to or from school or school activities.
9. "Disability" means (a) a physical, mental or medical impairment resulting from anatomical, physiological, genetic or neurological conditions which prevents the exercise of a normal bodily function or is demonstrable by medically accepted clinical or laboratory diagnostic techniques or (b) a record of such an impairment or (c) a condition regarded by others as such an impairment, provided, however, that in all provisions of this article dealing with employment, the term shall be limited to disabilities which, upon the provision of reasonable accommodations, do not prevent the complainant from performing in a reasonable manner the activities involved in the job or occupation sought or held.
10. "Discrimination" means discrimination against any student by a student or students and/or employee or employees on school property or at a school function including, but not limited 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.
11. "Emotional harm" that takes place in the context of "harassment or bullying" means harm to a student's emotional well-being through creation of a hostile school environment that is so severe or pervasive as to unreasonably and substantially interfere with a student's education.
12. "Employee" means any person receiving compensation from the School or employee of a contracted service provider or worker placed within the school.

Dignity Act Coordinators

Elementary School: Steven Roberts

Middle School: Lisselot Monegro and Jacob Basantes

The Dean of Students at each campus will serve as the School's Dignity Act Coordinators. The Dignity Act Coordinator will be trained to handle human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (identity or expression), sex, and any other characteristic protected by law. The School will share the Coordinator's name by: a) Listing such information in the Parent-Student Handbook and updates posted on the School website; b) Including such information in the Parent-Student Handbook provided to all persons in parental relation to students before the beginning of each school year; c) Providing such information to

parents and persons in parental relation in at least one School mailing; and d) Posting such information in highly visible areas of the School.

The Dignity Act Coordinator will: (a) Serve as the lead person responsible for facilitating implementation of the Act; (b) Participate in required training in order to respond to human relations in the areas of (including but not limited to) actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, sex, or any other characteristic protected by law; (c) Be accessible to students and other staff for consultation and guidance as needed relative to the Act; (d) Accept reports (either written or verbal) regarding potential violations of the Act; (e) Investigate reports of the Act; (f) report to the Board of Trustees about any findings of a violation of the Act; and (g) facilitate resolution of any claims or incidents of violations of the Act.

Training and Awareness

The School will establish guidelines for training all staff about the requirements of the Act.

Training will be provided each school year. Training shall:

1. Raise staff awareness and sensitivity of bullying, discrimination and/or harassment directed at students that are committed by students or school employees on School Property or at a School Function.
2. Address ways to promote a supportive school environment that is free from bullying, cyberbullying, discrimination and/or harassment, emphasize positive relationships.
3. Address social patterns and the effects on students
4. Inform employees on the identification and mitigation of such acts
5. Include demonstrations on prevention and intervention techniques to assist employees in recognizing and responding to bullying, cyberbullying, discrimination and/or harassment as well as ensuring the safety of the victims, and reducing and addressing problems of exclusion, bias, and aggression in the School.

Upon incidents of bullying, the School may hold additional training or disseminate educational material concerning the Act.

Teachers and students are encouraged to suggest to the Dignity Act Coordinator other methods and procedures for training and raising awareness about the Act.

School technology and School Functions may be employed to disseminate awareness of the Act.

Rules against bullying, discrimination and/or harassment will be included in the Parent-Student Handbook, publicized School-wide and disseminated to all staff and parents.

An age-appropriate summary of the Act shall be distributed to all students at the beginning of each school year.

The School's policy concerning the Act will be disseminated to employees at least once per year.

The School will annually review its Parent-Student Handbook and update it if necessary, taking into consideration the effectiveness of its provisions and consistency and fairness of its administration.

Teaching Students About Bullying

School instruction will include a component on civility, citizenship and character education. Such component shall instruct students on the principles of honesty, tolerance, personal responsibility, respect for others, observance of laws and rules, courtesy, dignity and other traits which will enhance the quality of their experiences in, and contributions to, the community. The School will also incorporate instruction designed to reduce any instances of harassment, discrimination, or bullying into extracurricular or school-sponsored programs and activities.

Instruction will also be provided during the School year in the safe, responsible use of the Internet and electronic communications, which will be designed to reduce instances of bullying and cyberbullying.

Reports and Investigations of Bullying, Discrimination and/or Harassment

Any person who has been a victim or who knows of a potential incident of bullying, discrimination, or harassment is required to report it to the Coordinator. School employees who witness harassment, bullying, or discrimination, or receive a report of such harassment, bullying, or discrimination must verbally notify the Coordinator or the School Director no later than one school day after the employee witnesses or receives a report of harassment, bullying or discrimination. School employees must also file a written report with the Coordinator and School Director no later than two school days after making the oral report. The content of the written report should be sufficient to allow the School or the Coordinator to investigate the allegation or report of violations of the Act. All school employees are expected to participate in the investigation of any allegation of violations of the Act.

Students may make reports of harassment, bullying, or discrimination to the Coordinator in person, by email, or confidentially through other means.

After receiving a report of potential violation of the Act, the Coordinator will promptly investigate all complaints of bullying, either formal or informal, and take prompt corrective measures, as necessary. If, after an appropriate investigation, the School finds that this policy has been violated, prompt corrective action will be taken to end the harassment, bullying or discrimination, and eliminate any hostile environment. The School may also implement other remedial measures to ensure the existence of a positive school culture and climate, prevent recurrence of the behavior, and ensure the safety of the students. Measured, balanced, and age-appropriate responses to incidents of harassment, bullying or discrimination by students will be implemented and may vary in method according to the nature of the behavior, the developmental age of the student, and the student's history of problem behaviors, if any. The School Director will promptly notify the appropriate local law enforcement agency if any harassment, bullying or discrimination constitutes criminal conduct.

The School will annually report material incidents of bullying, discrimination and/or harassment which occurred during the school year to the State Education Department.

Such report shall be submitted in a manner prescribed by the Commissioner, on date as determined by the Commissioner.

Reporting

The Director will regularly report on data and trends related to harassment, bullying and discrimination to the Board.

Prohibition on Retaliation

Any person who has reasonable cause to suspect that a student has been subjected to bullying, discrimination and/or harassment by an employee or student, on school grounds or at a school function, who acts reasonably and in good faith and reports such information to school officials or law enforcement authorities, shall have immunity from any civil liability that may arise from making such report.

The Board prohibits any retaliatory behavior directed at complainants, victims, witnesses and/or any other individuals who participate in the investigation of a complaint of bullying, discrimination and/or harassment.