

DIGNITY FOR ALL STUDENTS ACT

A scholar's ability to learn and to meet high academic standards, and a school's ability to educate its scholars, are compromised by incidents of discrimination or harassment including bullying, taunting, or intimidation. The Dignity for All Students Act makes it official policy of New York State that all scholars in public schools have the right to an education free of discrimination, intimidation, harassment and bullying on school property, a school bus and/or at a school function. Harassment, discrimination, and bullying are not tolerated in the HJCS community.

Harassment

Harassment is 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; (b) reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety; (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.

Discrimination

Discrimination is the act of denying rights, benefits, justice, equitable treatment, or access to facilities available to all others, to an individual or group of people because of the group, class or category to which that person belongs.

The discriminating behavior or harassing behavior may be based on any characteristic, including but not limited to a person's actual or perceived:

- Race (including traits historically associated with race, such as hair texture and protective hairstyles like braids, locks, and twists)
- Color
- Weight
- National origin
- Ethnic group
- Religion
- Religious practice
- Disability
- Sexual orientation
- Gender (including gender identity and expression)
- Sex
- Other

Discrimination or harassment within the meaning of this policy shall include a single severe incident or multiple incidents that are pervasive in nature that creates a hostile environment.

Examples of harassment include, but are not limited, to:

- physical violence

- threats, taunts, and teasing
- aggressive or menacing gestures
- exclusion from peer groups designed to humiliate or isolate
- using derogatory language
- making derogatory jokes or name calling or slurs including racial name-calling or ethnic slurs
- written or graphic material, including graffiti, photographs, drawings, or videos, containing comments or stereotypes that are electronically circulated or are written or printed.

Sexual harassment is not tolerated in the HJCS community and includes but is not limited to:

- sexual flirtations, advances, or propositions
- verbal remarks about an individual's body
- sexually degrading words used towards an individual
- the display of sexually suggestive objects or pictures.

Any Scholar, who believes that he or she has been subjected to harassment or discrimination on school grounds or at school activities, should immediately report the alleged misconduct to school administration.

In the absence of a victim's complaint, the school, upon learning of, or having reason to suspect the occurrence of any harassment, will promptly begin an investigation and take action as deemed appropriate upon the results of the investigation.

"Hazing" means any intentional, knowing or reckless act directed against a Scholar for the purpose of being initiated into, affiliating with, holding office in, or maintaining membership in any organization, club or athletic team whose members are, or include, other Scholars, where public humiliation, physical or emotional discomfort, bodily injury or public ridicule is likely to occur. Soliciting, encouraging, aiding or engaging in hazing is prohibited.

"Bullying" is defined as repeated physical, verbal (including spoken and written language), and/or cyber teasing or threats made to another person.

Henry Johnson Charter School prohibits bullying in all forms. This policy may be applied regardless of the physical location in which the bullying behavior occurred, whenever the individual committing the bullying behavior and any of the intended targets of the bullying behavior are Scholars attending HJCS.

- **Physical Bullying:** The repeated use of force toward a person's body or personal belongings, including but not limited to:
 - *Hitting, punching, shoving, kicking, tripping, spitting, elbowing, shoulder checking, pinching, flicking, throwing objects, hair pulling, restraining, inappropriate touching, damaging physical property, etc.*
- **Verbal Bullying:** Repeatedly using negative and/or inappropriate words (including both spoken and written) toward or in regard to another person, including but not limited to:
 - *Negative comments, name calling, lies, rumors, racial slurs, teasing, cursing, threats, fake compliments, attacks on sexual orientation, etc.*
- **Cyber Bullying:** Repeatedly using social media, email, or electronic devices/communications in a negative manner toward or in regard to another person, including but not limited to:

- *Posting negative comments, fake profiles, sexually explicit texts, photos aimed at humiliation, tagging photos without consent, posting negative videos, texting photos without consent, hate blogs, hate pledges, texting false information (spreading rumors through texts), hacking profiles, nasty emails.*

Scholars found to be engaging in harassing, hazing or bullying behavior will be subject to one or more of the following disciplinary actions but not limited to:

- Conference with parent(s)/guardian(s)
- School suspension
- Referral to appropriate law enforcement agency

One or more employees at Henry Johnson Charter School has been designated as a DASA Coordinator, and trained in methods to respond to human relations in the areas of race(including traits historically associated with race, such as hair texture and protective hairstyles like braids, locks, and twists) , color, weight, national origin, ethnic group, religion, religious practices, disability, sexual orientation, or gender (including gender identity and gender expression).

Reporting And Investigation

Anyone who believes that a Scholar has possibly been or is the victim of hazing, bullying, harassment, or discrimination must immediately make a verbal or written report of the incident to a staff member. Any person who makes a report of bullying, harassment, or discrimination and requests to remain anonymous will not be personally identified as the reporter or complainant to the extent permitted by law.

If a report of suspected bullying, harassment, or discrimination is substantiated through an investigation, then HJCS will respond appropriately and will take appropriate interventions consistent with policy and procedure. Parents are encouraged to be involved in the process of minimizing bullying, harassment, and discrimination. Parents should report suspected acts of bullying or discrimination to an appropriate school official.

All complainants and those who participate in the investigation of a complaint in conformity with state law and HJCS policies, who have acted reasonably and in good faith, have the right to be free from retaliation of any kind.

Student-on-Employee Bullying, Harassment, or Discrimination

Any student who engages in bullying, harassment, and/or discrimination towards any HJCS employee will be subject to disciplinary consequences consistent with the Code of Conduct.