

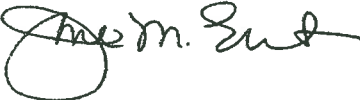


THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY 12234

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February 27, 2017

To: District Superintendents
Superintendents of Public Schools
Principals of Public Schools
Administrators of Nonpublic and Charter Schools

From: Jhone M. Ebert, Senior Deputy Commissioner 

Subject: Available Guidance and Resources to Combat Harassment, Bullying and Discrimination in Schools in Light of Recent Immigration-related Actions

In recent weeks, reports regarding incidents of bullying, discrimination, and harassment in schools across the country have surfaced in the news media. In addition, there have been recent immigration-related actions by federal officials that have created fear and confusion across the country. The New York State Education Department ("NYSED" or "the Department") takes very seriously any action that compromises the school climate in which our students come to learn every day. In New York State, advocates, parents, and school staff have called upon the Department to expand and build upon existing guidance and resources to combat harassment, bullying, and discrimination, as well as to enhance efforts to build and maintain positive school climates pursuant to the Dignity for All Students Act ("DASA" or "the Dignity Act").

New York State's Dignity Act was signed into law in 2012 to provide students with a safe and supportive environment free from discrimination, harassment, and bullying on school property, a school bus and/or at a school function, and was amended in 2013 to include cyberbullying¹. The law requires schools to provide students, persons in parental roles, and staff with information about DASA and to develop policies and procedures that require a safe school environment. Specifically, DASA requires school districts to develop Codes of Conduct that prohibit harassment, bullying (including cyberbullying), and discrimination against students by other students or school employees, as well as provisions for responding to incidents of discrimination and harassment and reporting such incidents to NYSED.

As described below, NYSED, together with the New York State Office of the Attorney General ("OAG"), has issued guidance and resources to help school staff, students, and parents report and address incidents of harassment, bullying, and

¹ For additional guidance and resources related to the Dignity Act please visit, <http://www.p12.nysed.gov/dignityact/>.

discrimination. A joint guidance document issued by NYSED and the OAG in August 2016 includes a sample form for reporting and investigating DASA incidents.² The Department wishes to augment this important work by reminding schools and families that guidance and technical assistance regarding DASA and safe and supportive schools are available from the Department.

NYSED encourages districts, parents, and guardians who have questions regarding DASA to contact NYSED for guidance and technical assistance regarding proper investigation protocols and procedures and best practices in creating and maintaining a safe and supportive school environment. The Department can be contacted at:

- The Office of Bilingual Education and World Languages (OBEWL) at (718) 722-2445 or obewl@nysed.gov , or
- The Office of Student Support Services (SSS) at (518) 486-6090 or studentsupportservices@nysed.gov .

Additionally, individuals with questions regarding DASA who need language assistance can contact the Language Regional Bilingual Education Resource Network (RBERN) Parent Hotline, housed at New York University ("NYU") by:

- Completing an inquiry form [here](#)
- Phone: (800) 469-8224
- Fax: (212) 995-4199
- Email: nysparenthotline@nyu.edu
- Mail: NYS ELL Parent Hotline Team
c/o NYS Statewide Language RBERN at NYU MetroCenter
726 Broadway – 5th Floor
New York, NY 10003

Individuals may also appeal a district's action pursuant to Education Law §310. Education Law §310 provides that parties considering themselves aggrieved by an action taken at a school district meeting or by school authorities may appeal to the Commissioner of Education for a review of such action. Information on filing appeals is available in English, Spanish, Arabic, Chinese (Simplified), Bengali, and Haitian Creole at: www.counsel.nysed.gov.

Please note that the Department is committed to safeguarding the privacy of personally identifiable student level information and handles all such information in accordance with applicable privacy laws and regulations, including the federal Family Educational Rights and Privacy Act ("FERPA").

² This guidance can be found at <http://www.p12.nysed.gov/dignityact/documents/SED-AGLtrandGuidance8-31-16.pdf>

The Department will be issuing resources for parents, guardians, and other interested individuals regarding DASA, translated into the top ten languages spoken across New York State.

In addition, NYSED has identified the following resources and tools that can help school staff, students, parents, and communities. Please use these resources where applicable, and join us in our efforts to ensure the safety and health of all children by aligning these tools with your school communities' goals and needs.

- NYSED and NYS Attorney General's Letter to District Superintendents and Guidance: <http://www.p12.nysed.gov/dignityact/documents/SED-AGLtrandGuidance8-31-16.pdf>
- Addressing Bullying, Harassment, Intimidation, and Discrimination in our Schools: http://www.p12.nysed.gov/dignityact/documents/PreventBullyingInYourSchool_Nov2016.pdf
- Model training materials to assist school districts in training school employees: https://ag.ny.gov/sites/default/files/dasa_training_materials_final_-_8.30.16.pdf
- Dignity for All Students Act, inclusive of a "Resource and Promising Practices Guide for School Administrators & Faculty" with additional guidance and tools on creating safe and supportive schools: <http://www.p12.nysed.gov/dignityact>
- New York State Center for School Safety Quick Link Resources for Teaching Tolerance, and maintaining safe and healthy learning environments: <http://www.nyscfss.org/#!quick-links/c13iz>
- NYSED information regarding School Emergency Response Planning and Mental Health Resources for Schools: <http://www.p12.nysed.gov/sss/ssae/schoolsafety/save/>
- New York State Center for School Health updated Mental Health and Counseling Resources Page: <https://www.schoolhealthny.com/site/default.aspx?PageType=3&ModuleInstanceID=190&ViewID=7b97f7ed-8e5e-4120-848f-a8b4987d588f&RenderLoc=0&FlexDataID=108&PageID=126>

Once again, thank you for your efforts every day to support our students, families, and communities across New York State. When we stand together, we can make sure that our students and school communities feel safe and supported in their school environments. As always, please reach out to us should you need to discuss these important topics or share any concerns by contacting the Office of Student Support Services at 518-486-6090, or studentsupportservices@nysed.gov or the Office of Bilingual Education and World Languages at 718-722-2445, or obewl@nysed.gov.