



August 2022

Dear Parents/Guardians,

On July 1, 2012 a new law affecting all New York State schools, the *Dignity For All Students Act*, went into effect. The school district will continue to implement this law according to the NYS and the Auburn Enlarged City School District Code of Conduct guidelines and directives noted on the back of this letter.

Critical points of this law include:

- ⇒ The importance of investigating complaints of harassment/discrimination promptly
- ⇒ The responsibility of the District to take corrective action as needed in a timely way

Please note that not every “mean” behavior qualifies to the level of harassment or discrimination:

- The behavior must create a hostile environment of such a severe nature that it unreasonably and substantially interferes with a student’s performance in school, his/her opportunities for or benefits from learning, or their emotional, mental, and/or physical well-being.
- If the harassing or discriminating behavior reasonably causes or would reasonably be expected to cause a student to fear for his/her physical safety.

If you have further questions about this law, please note that you can find this on the State Education Department’s website at nysed.gov or you may contact your child’s principal for further information as needed. It is our goal to ensure that all students feel safe to learn in our schools each and every day.

Sincerely,

Brian Morgan, Principal
David Oliver, Principal
Jenette Mistretta, Principal
Sarah Passarello, Principal
Kelly Garback, Principal
Ronald Gorney, Principal
Melissa O’Donnell, Principal

Auburn High School
Auburn Junior High School
Casey Park Elementary School
Genesee Elementary School
Herman Avenue Elementary School
Owasco Elementary School
Seward Elementary School

HARASSMENT AND DISCRIMINATION (DIGNITY FOR ALL STUDENTS ACT) Definitions:

1. **School property** shall mean in or within any building, structure, athletic playing field, playground, parking lot, or land contained within the real property boundary line of a public elementary or secondary school; or in or on a school bus, as defined in section one hundred forty-two of the vehicle and traffic law.
2. **School function** shall mean a school-sponsored extra-curricular event or activity.
3. **Disability** shall mean:
 - (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.
4. **Employee** shall mean employee as defined in subdivision three of section eleven hundred twenty-five of this title.
5. **Sexual orientation** shall mean actual or perceived heterosexuality, homosexuality or bisexuality.
6. **Gender** shall mean actual or perceived sex and shall include a person's gender identity or expression.
7. **Harassment** shall mean the creation of a hostile environment by conduct or by verbal threats, intimidation or abuse that 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 wellbeing; or conduct, verbal threats, intimidation or abuse that reasonably causes or would reasonably be expected to cause a student to fear for his or her physical safety; such conduct, verbal threats, intimidation or abuse includes but is not limited to conduct, verbal 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.

Prohibition of Harassment and Discrimination:

The District prohibits discrimination or harassment against any student, by employees or students on school property or at a school function, that creates a hostile environment by conduct, with or without physical contact and/or verbal threats, intimidation or abuse, of such a severe nature that:

1. 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
2. Reasonably causes or would reasonably be expected to cause a student to fear for his/her physical safety.

Such conduct shall include all forms of discrimination and harassment of students based on actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex by school employees or students on school property and at school-sponsored activities and events that take place at locations off school property. In addition, any act of discrimination or harassment, outside of school sponsored events, which can reasonably be expected to materially and substantially disrupt the education process may be subject to discipline.

The District will investigate all complaints of harassment and discrimination, either formal or informal, and take prompt corrective measures, as necessary. Complaints will be investigated in accordance with applicable policies and regulations. If, after an appropriate investigation, the District finds that this code of conduct has been violated, corrective action will be taken in accordance with District policies and regulations, this code of conduct, and all appropriate federal or state laws.

Prohibition of Retaliatory Behavior (Commonly Known as "Whistle-Blower" Protection)

The District prohibits any retaliatory behavior directed at complainants, victims, witnesses and/or any other individuals who participated in the investigation of any complaint of discrimination, harassment, or violation of this code of conduct.