

# Know Your Rights

## What All Students Should Know about Harassment and Bullying in New York City Public Schools

*On September 3, 2008, Mayor Michael Bloomberg and Chancellor Joel Klein announced Chancellor's Regulation A-832, which established a procedure for addressing student-to-student bias-based harassment, intimidation, and bullying.*

### **What does “bias-based harassment” mean?**

The regulation states that bias-based harassment is **an intentional act of bullying or intimidation** that negatively affects a student's ability to learn or participate in school activities. The harassment may be based on a person's race, color, creed, ethnicity, national origin, citizenship/immigration status, religion, gender, gender identity, gender expression, sexual orientation or disability. Bias-based harassment can be physical, verbal, or written actions. These acts could include stalking, physical violence, threats and teasing, use of derogatory language, or unwanted touching.

### **Where can a person report bias-based harassment?**

Reports can be made to 1) a designated staff person who is selected by the principal (their name should be listed on the Respect For All poster in your school), 2) any school employee, or 3) the Office of School and Youth Development by sending an email to: [RespectforAll@schools.nyc.gov](mailto:RespectforAll@schools.nyc.gov).

### **Who can file a report of bias-based harassment?**

Reports can be filed by 1) any student who has experienced harassment; 2) anyone who witnesses or knows about the harassment, such as a parent or other students; and 3) staff members who know about or witness student-to-student bias-based harassment.

### **What happens after a report is submitted?**

- In the first 24 hours, the school has to enter the incident into the school system database.
- Within 5 days, an investigation of the complaint filed must be completed.
- Within 10 days, the findings of the report must be released to the students involved.
- If a school fails to address a report of harassment and the student continues to be harassed, the student should file a complaint directly to the Office of School and Youth Development by emailing [respectforall@schools.nyc.gov](mailto:respectforall@schools.nyc.gov) or calling (212) 374-6834.

### **What will happen to the student accused of harassment?**

If the student is found to be in violation of the regulation, the student will be subjected to disciplinary action that is aligned with the Department of Education's Discipline Code. Where appropriate, the student will receive counseling services and resources by the school.

### **What support will students who are victims of harassment receive?**

Schools should provide the appropriate counseling services for the student. These services may be provided from the school or by a community agency through school referrals.

### **Will reports be confidential?**

The privacy of all individuals and witnesses will be respected by the Department of Education (DOE). Only when necessary, in cases like a police investigation, will the DOE disclose any information to resolve the issue. In addition, retaliation against students or staff who report or assist in the investigation of harassment, bullying, or intimidation is prohibited under this regulation.

### **Will parent/caregivers be automatically notified?**

Parent/caregivers of both the accused student and the alleged victim will be notified by the schools. The alleged victim can ask the school to refrain from telling the parents if worried about personal safety.

### **What are schools supposed to be doing to prevent harassment?**

1) Every student's family should receive a "Respect for All" brochure at their home at the start of the school year.



2) Students should visibly see "Respect for All" posters in their schools with the name of the person responsible for receiving and investigating reports of harassment at their school.

3) All students and school staff should receive training on "Respect for All" and the new regulation on bias-based harassment.

4) All schools are required to create a plan for how they will create a safe and respectful environment for all students.

### **Where can I go to find more information about this regulation?**

The regulation can be viewed and downloaded [here](#). Or you can call the Dept. of Education for a hard copy at (212) 374-6834.

**If your school is not following the guidelines above, your rights may have been violated. See the links below and contact one of these organizations for support:**

