Reporting of Incidents Concerning School Safety and the Educational Climate (SSEC)

August 2017

**New York State
Education Department**

**New York State
Center for School Safety**
Providing support to schools,
families, and communities

Agenda

1. Reasons for the Changes

2. What has and has not changed

3. New SSEC Summary Data Collection Form

4. Understanding the Dignity for All Students Act (DASA)

5. Investigations

6. Intervention

7. Prevention: DASA and school climate

8. Safe School Action Planning

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School Climate and Student Achievement

- **school climate domains of safety and respect, communicative engagement, and academic expectations all proved to be important factors that were associated with student achievement** Jonathan Ryan Davis, Nathan Warner 2016

- **The studies of this study demonstrated that students achieve higher scores on standardized tests in schools with healthy learning environments.** Angus J MacNeil, Doris L. Prater &Steve Busch Feb 2009

Positve School Climate

=

Student Achievement

NYS Safe Schools Task Force

Re-established in Jan. 2013 by Board of Regents after the Newtown, CT tragedy

Two themes evident throughout their recommendations:

1. Promote and measure school climate rather than focus exclusively on measuring school violence

2. Focus on Social Emotional Learning to help students learn the essential skills that affect every area of their lives

Presented by Assistant Commissioner Renee Rider at the June 12, 2017 Board of Regents meeting, Slides 4 and 9

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Provided NYSED with 36 recommendations

Including three which will be addressed today:

- Combine Violent or Disruptive Incident Report (VADIR) and Dignity for All Students Act (DASA) into one system **School Safety Educational Climate (SSEC)** that is not punitive and is reflective of the school climate and can be used for prevention and intervention purposes

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NYS Safe Schools Task Force (cont.)

- Design a user-friendly technology system for reporting incidents with prompts to aid accurate reporting

- Improve ease of student reporting of safety issues not limited to bullying, harassment, discrimination, at-risk behavior by providing opportunities for students to <u>anonymously</u> report incidents of concern

What has NOT changed?

- Annual Data Reporting Timeline

- Certification by Superintendent/School Leader

- Code of Conduct URL is posted to district's website

- Potentially Persistently Dangerous (PPD)/Persistently Dangerous (PD) with a School Violence Index (SVI) of 1.5 or higher or .50 plus 60 Weighted Incidents

- Safe Schools Against Violence in Education (SAVE) Law

- DASA Legislation

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What's new?

- SSEC Summary Data Collection Form
- Nine categories (previously 20 categories)
- SSEC is now one system/one form
- Reporting System – IRS Data Exchange Application (IDEx)
- Investigation critical to determining connection between VADIR/DASA incidents
- Reporting of Biased-Related Incidents

What's new? (cont.)

- Reporting of Group or Gang Related Incidents

- Reporting format Part 2-6

- Part 4 School-Related Arrests (defined in Glossary)

- Glossary of Terms

- Instructions

- Individual Incident Report (IIR)

- Revised weighting of some categories

- Q & A

3. New SSEC Summary Data Collection Form

Nine Categories 1-3

1. Homicide

2a. Forcible Sex Offenses

2b. Other Sex Offenses

3a. Assault with Physical Injury

3b. Assault with Serious Physical Injury

Nine Categories 4-5

4a. Weapon Possession Routine Security Check

4b. Weapon Possession Other

5a. Material Incidents of Discrimination, Harassment, and Bullying (excludes cyberbullying)

5b. Material Incidents of Cyberbullying

Nine Categories 6-9

6. Bomb Threat

7. False Alarm

8. Use, Possession, Sale of Drugs

9. Use, Possession, Sale of Alcohol

SVI Calculation- *(Content updated May 2020)*

Incident Category	Weight
1. Homicide	100
2.a Forcible Sex Offenses	60
2.b Other Sex Offenses	40
3.a Assault Physical Injury	30
3. b Assault Serious Physical Injury	45
4.a Weapons Through Screening	1
4.b Weapons Through Other Circumstances	15
5.a Material Incidents Bullying	0
5.b Cyberbullying	0

More information on the SVI calculation is available at the link below.

http://www.p12.nysed.gov/sss/ssae/schoolsafety/vadir/pdcriteria201819.html

Assigned Weights to Incident Categories

- Used to compute the School Violence Index (SVI) for schools

- Weighted incidents are totaled and then divided by the school enrollment

- *NOTE: As of 2019, Material Incidents of Bullying and Cyberbullying are unweighted incidents.*

Material Incident of Harassment, Bullying, and/or Discrimination

Means a single verified incident or a series of related verified incidents where a **student** is subjected to harassment, bullying and/or discrimination by a student and/or employee

Glossary of Terms
http://www.p12.nysed.gov/sss/ssae/schoolsafety/vadir/glossary201718.html

Harassment and Bullying

[T]he creation of a hostile environment … that either:

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, including conduct … that reasonably causes or would reasonably be expected to cause emotional harm; or

b)   Reasonably causes or would reasonably be expected to cause physical injury to a student or cause a student to fear for his or her physical safety.

Glossary of Terms
http://www.p12.nysed.gov/sss/ssae/schoolsafety/vadir/glossary201718.html

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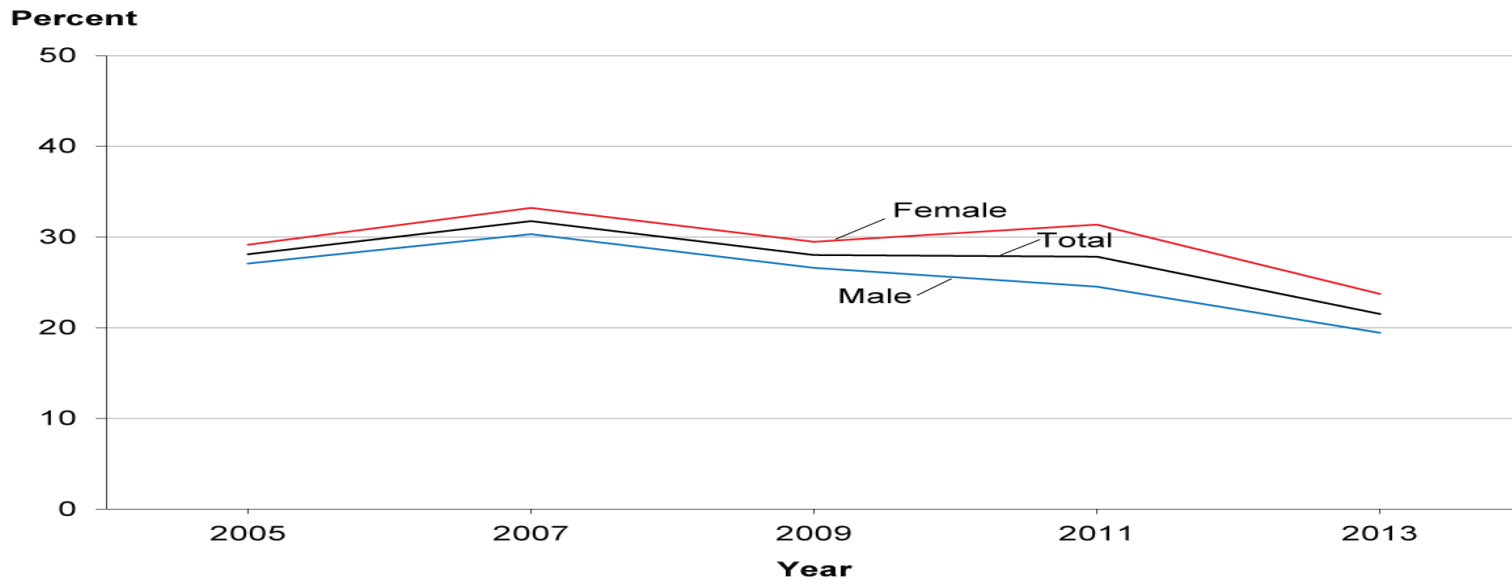
Student reports of Bullying

Percentage of U.S. students ages 12–18 who reported being bullied at school during the school year, by gender: Selected years, 2005 through 2013

NOTE: "At school" includes the school building, on school property, on a school bus, or going to and from school.

SOURCE: U.S. Department of Justice, Bureau of Justice Statistics, School Crime Supplement (SCS) to the National Crime Victimization Survey, 2005 through 2013.

Biased-Related Incidents

Based on the following:

- race
- color
- weight
- national origin
- ethnic group
- religion
- religious practice
- disability

- sexual orientation,
- gender (including gender identity and expression)
- sex
- or other (physical characteristics, age, socio-economic status, health condition, housing, domestic relationships, social/academic status, etc.)

Glossary of Terms
http://www.p12.nysed.gov/sss/ssae/schoolsafety/vadir/glossary201718.html

Incidents   **Hostile Environment**   # School Climate

Criminal Justice

LENS

Educational

- Laws/Rule infractions

- Evidence required

- Determine who perpetrator is

- Apply punishment/discipline

- Case by case

- **Negative emphasis: DO NOT**

- Relationships/Norms

- All students as *works in progress*

- Respectful and responsible behavior necessary for safety/learning

- Requires on-going proactive efforts

- **Positive emphasis: DO**

Individual Incident Report

Individual Incident Report (IIR) Form

*Education Law §2802 and the Commissioner's regulation 100.2 (gg) require schools to report all violent or disruptive incidents that occur during the school year and summer months, between July 1 and June 30, including when summer school is in session. **It is expected that schools collect the required information (below), electronically or in paper form**, using a format such as the Individual Incident Report (IIR). The format should be the basis for the submission of the annual School Safety and the Educational Climate (SSEC)Summary Data Collection Form. **Do not send copies of IIR forms to SED.***

Category of Incident (Check any that apply):

1. Homicide	
2a. Forcible Sex Offenses	
2b. Other Sex Offenses	
3a. Assault-Physical Injury	
3b. Assault-Serious Physical Injury	
4a. Weapons Possession: Routine Security Checks	
4b. Weapons Possession: Other	
5a. Materials Incidents of Discrimination, Harassment, and Bullying (all excluding Cyberbullying)	
5b. Cyberbullying	
6. Bomb Threat	
7. False Alarm	
8. Use, Possession, or Sale of Drugs	
9. Use, Possession, or Sale of Alcohol	

Incident was biased related *(Check any that apply)*:

c) Race ☐	f) Color ☐	i) Disability ☐	l) Sex ☐
d) Ethnic Group ☐	g) Religion ☐	j) Gender ☐	m) Weight ☐
e) National Origin ☐	h) Religious Practices ☐	k) Sexual orientation ☐	n) Other ☐

Incident was: *(Check if applies)*
___ (o) Gang or group-related

If the incident involved the use of one or more weapons, indicate the number of weapons, by weapon type used, listed below:
____ (q1) Firearms
____ (q2) Knives
____ (q3) Other Weapons

Incident was: *(Check any that apply)*
___(r) Involving Alcohol
___(s) Involving Drugs

Revised June 26, 2017

1

Expected that schools collect the required information.

Reports are to be kept at the school until the youngest person involved is 27 years old.

http://www.p12.nysed.gov/sss/ssae/schoolsafety/vadir/

Timeline

- Collect building level incident data from July 1 to June 30 (including summer months and summer school)

- Collect district-level incident data from July 1 to June 30

- 2017-18 data submitted to the Department via the NYSED Application Business Portal at the end of the school year; July date to be announced by the Commissioner

- IIR reports must be kept until the youngest person involved in the incident is 27 years old*

*Records Retention and Disposition Schedule ED-1

Listening = Learning

NYS Dignity for All Students Act (DASA)

Legislative Intent: "... To afford all students in public schools an environment free of discrimination and harassment. The purpose of this ... is to foster civility in public schools and to prevent and prohibit conduct which is inconsistent with a school's educational mission."

Ed. Law Article 2 Section 10

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Dignity Act Coordinator

- At least one employee in every school shall be designated as a Dignity Act Coordinator and receive special DASA training.

- The name(s) and contact information shall be shared with all school personnel, students, and persons in parental relation:

  - ✓ Listed in the Code of Conduct

  - ✓ Posted on School/District Website

  - ✓ Posted in highly-visible areas of school building

  - ✓ Available at District and school level administrative offices

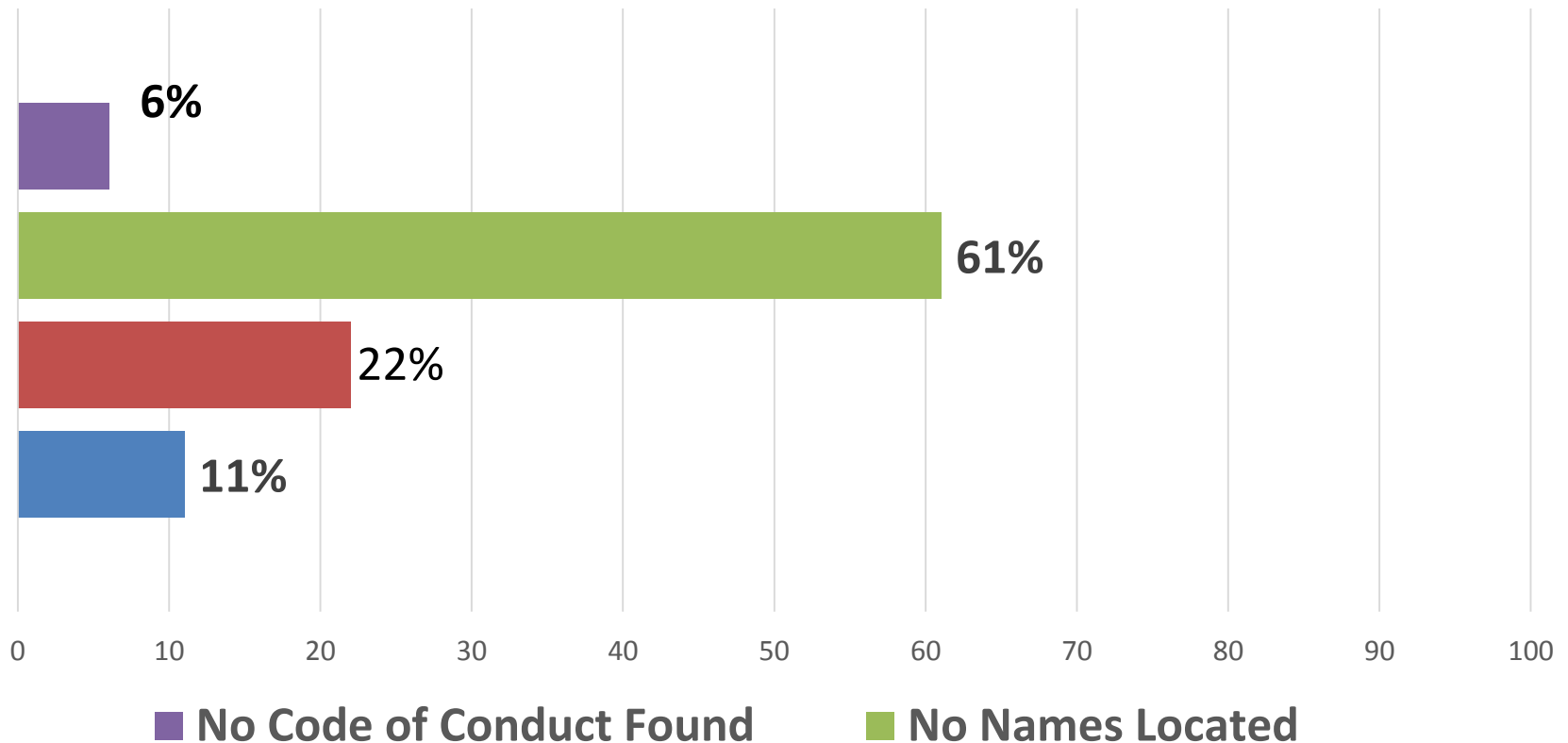 - ✓ Notify person in parental relation yearly

CR 100.2 (jj) (4) vii

Dignity Act Website Audit
19 Component School Districts

Is the Dignity Act Coordinator's name listed in the District's Code of Conduct and is there corresponding contact information available (July 2017)?
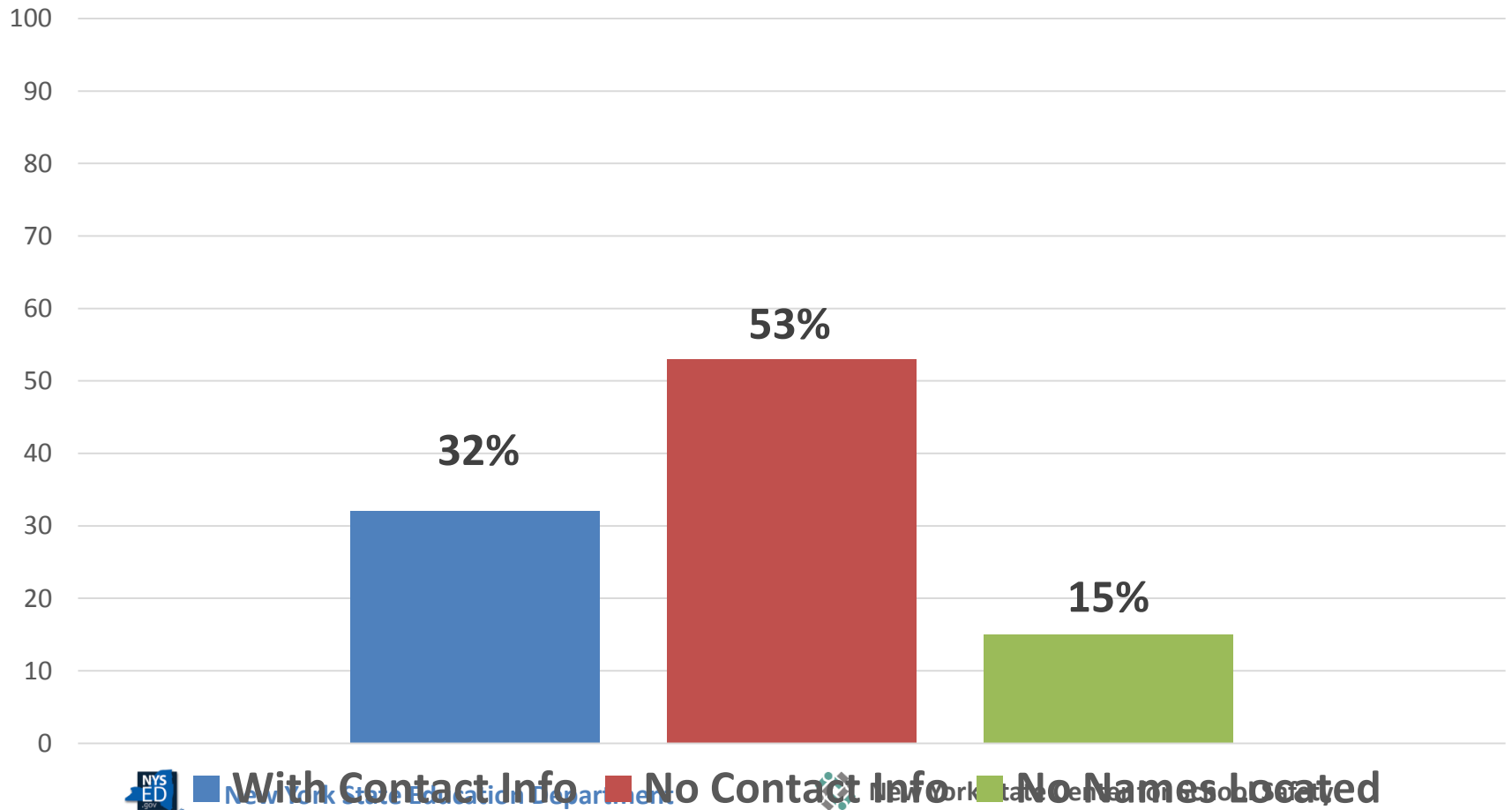

Bar chart:
- No Code of Conduct Found: 6%
- No Names Located: 61%
- No Contact Info: 22%
- With Contact Info: 11%

No Code of Conduct Found **No Names Located**

No Contact Info **With Contact Info**

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DASA for Administrators

Sample School/District Form

"Each school's incident reporting system should include a DASA Incident Reporting Form which should be easily accessible to parents, students, and staff on the school/district website."
(page 2 of Attachment 1)

See sample form from the Attorney General and SED
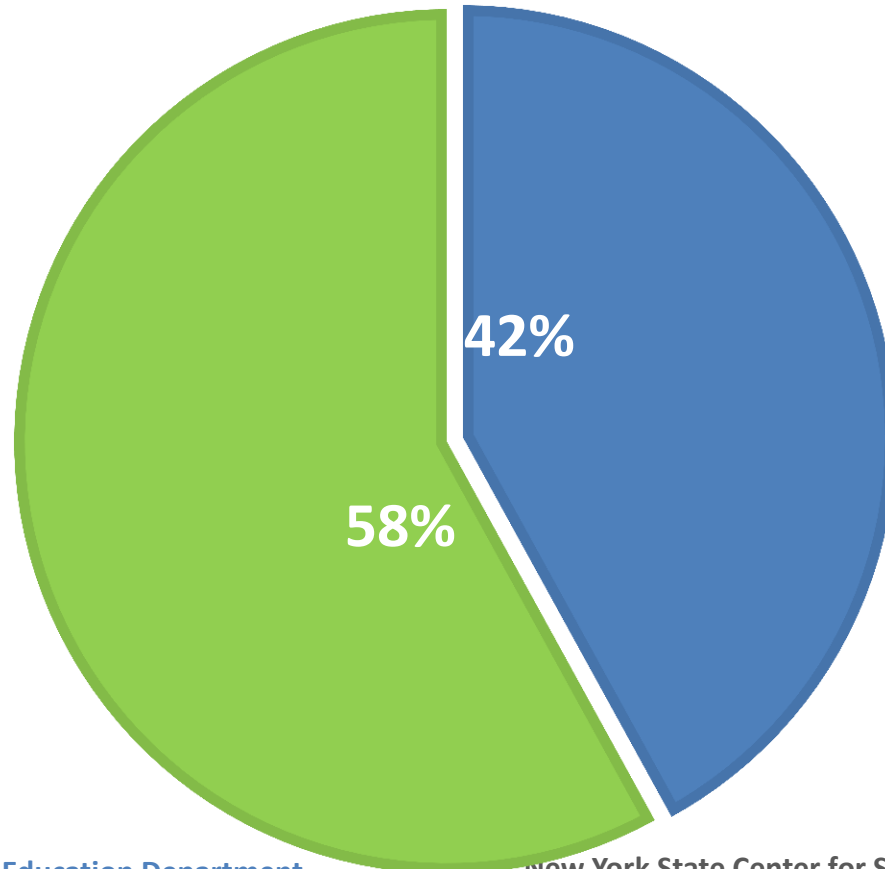
OAG/SED memo with sample form
http://www.p12.nysed.gov/dignityact/documents/SED-AGLttrandGuidance8-31-16.pdf

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Dignity Act Website Audit
19 Component School Districts

BULLYING INCIDENT REPORT

Is the District's Bullying incident Report available online (July 2017)?

■ **Not Found Online**   ■ **Found Online**

42%

58%

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DASA for Administrators

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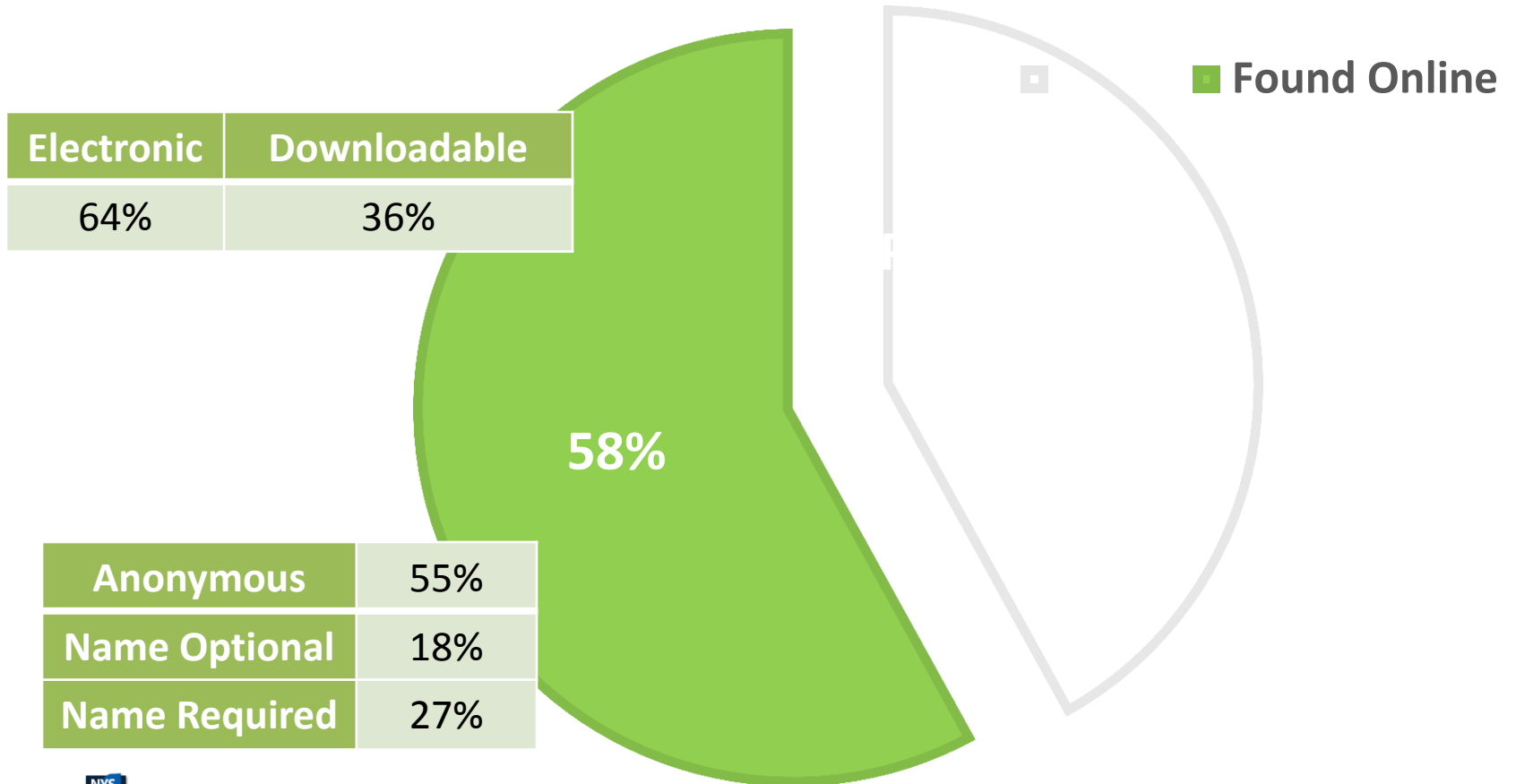
DASA for Administrators

Dignity Act Website Audit

19 Component School Districts

BULLYING INCIDENT REPORT

If the Bullying Incident Report is found online; is it electronic or downloadable and is it anonymous, name optional or name required (July 2017)?

■ Found Online

Electronic	Downloadable
64%	36%

58%

Anonymous	55%
Name Optional	18%
Name Required	27%

Incident Reporting Timelines

Reporting: all school employees are required to orally report the incident(s) **within one school day** to the principal, superintendent or his/her designee and report it **in writing within two school days** after making an oral report.

CR 100.2 (kk) (2) (ii) (a) and (b) AND Article 2 Section 13 (1) (c)

Lead or Supervise Investigation

- Dignity Act Coordinator or Administrator typically leads the investigation

- Team approach is best; school resource officer and mental health professional

- Use calm problem solving, inquiry approach to find out:

  - What exactly was said and done (save evidence)

  - Motive/intent (anger, misguided joke, threat of harm to safety)

  - Relationship and past history (one time occurrence or repeated)

  - Impact or perceived impact on school functioning

Investigation

- Interview the target/victim of the incident first; separately and away from the alleged offender

- Interview the alleged offender accused of the incident

- Interview any witnesses, including students, teachers and staff

- Obtain any other objective evidence from recording devices or, in the case of cyberbullying, copies of tweets, emails, Facebook pages, etc.

Investigation (Cont.)

- Complete IIR based upon investigation as promptly as possible

- Contact law enforcement if behavior is believed to constitute criminal conduct

- The person(s) in parental relation of each student interviewed should be contacted to inform them of the incident and the verification process, in accordance with school/district policies

Scenario: An incident involving a student victim, student and unknown offenders includes verbal (such as name-calling "fatso"), but no physical contact and the incident occurred on school grounds during regular school hours.

What do you need to know?

Dignity for All Students Act

Dignity

worthy of esteem and respect

for ALL students

Dignity for All Students Act (cont.)

"A strictly punitive or reactive approach to inappropriate student behavior is neither the intent of the Dignity Act, nor has it been proven effective in reducing incidents…it is recommended that strategies such as prevention, intervention, and graduated/progressive discipline be considered…"

NYSED Resource and Promising Practices Guide, http://www.p12.nysed.gov/dignityact/documents/FINALDignityForAllStudentsActGuidanceDec2017.pdf

DASA Intervention

"Remedial responses to harassment, bullying and/or discrimination will likely involve staff intervention. Reponses may include measures designed to correct the behavior, prevent another occurrence of the behavior, and protect the targeted student."

DASA July 13 Guidance for Local Implementation
http://www.p12.nysed.gov/dignityact/documents/DASAGuidanceLocalImplementation.pdf

DASA Intervention (cont.)

For Students Who Do Not Feel Safe at School

"intervention might require a specific, coordinated approach, if a student does not feel safe at school. … The building principal, or designated staff, the student, and the person in parental relation to the student shall work together to define and implement any needed accommodations."

DASA July 13 Guidance for Local Implementation
http://www.p12.nysed.gov/dignityact/documents/DASAGuidanceLocalImplementation.pdf

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Incidents	**Hostile Environment**	School Climate

LENS

Criminal Justice	Educational
• Laws/Rule infractions	• Relationships/Norms
• Evidence required	• All students as *works in progress*
• Determine who perpetrator is	• Respectful and responsible behavior necessary for safety/learning
• Apply punishment/discipline	
• Case by case	• Requires on-going proactive efforts
• **Negative emphasis: DO NOT**	• **Positive emphasis: DO**

Practice TEA Time

- Practice-improve your communication skills

- T: Thanks for calling

- E: Empathize

- A: Acknowledge/Ask

"What outcome would you like to see…?"

- Time-Give your time and attention

Intervention plan to protect student who is bullied (example)

- Check in and check out with student
- Communicate with people in supervision
- Speak with student who might have bullied
- Speak to students who might have witnessed it
- Enlist support of other students
- Designate a trusted staff person for student to notify if bullying reoccurs
- Designate a safe spot for student to go to
- Refer to counselor/SW or DASA coordinator
- Coach student for avoiding and responding to bullying: specific words and actions

Intervention plan for student who might have bullied (example)

- Share report of bullying

- Re-state norms of respect, i.e. keeping all students safe able to learn

- Explain impact of words and actions on others

- Clarify responsibilities of community/citizenship

- Give benefit of doubt (if possible)

- State expectations of future behavior (no harm from this point on)

- Explain steps being taken to protect student who was bullied

- Notify his/her parents FYI purposes

- Refer to counselor or social worker

- Provide alternative words and actions to achieve social goals

Intervention plan for students who witness bullying (example)

- Share report of bullying

- Explain impact of bullying on student and community

- State norms of respect and responsibility

- Inform them of the influence they have in stopping bullying

- Enlist their support in helping the school

- Reframe tattling as responsible reporting

- De-emphasize discipline to perpetrator-reframe as helping him or her learn better ways of acting

- Give specific words or actions to take if they witness it again

- Inform them of the steps you have taken to protect the student

Plan for Action

✓ **Description of plan to eliminate bullying and reduce the hostile environment**

✓ **Remediation:** *(use all that apply)*

    Education

    Counseling

    Disciplinary

    Restorative Justice or other program

    Law Enforcement

    Other *(describe)*

> The person(s) in parental relation of both the target and the aggressor should be contacted about the plan.

OAG/SED memo with sample form
http://www.p12.nysed.gov/dignityact/documents/SED-AGLttrandGuidance8-31-16.pdf

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What is School Climate?

School climate is –

"the way school culture affects a child's sense of safety and acceptance, and consequently is a critical determinant of their ability to focus on the task of learning"

Dessal, A. (2010). Prejudice in schools: Promotion of an inclusive culture and climate. Education and Urban Society, 42(4), 407-429

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DASA Prevention

"A program geared to prevention is designed to not only decrease incidents of harassment, bullying and/or discrimination, but to help students build more supportive relationships with one another by integrating the prevention and intervention program into classroom instruction".

July 2013 Guidance for Local Implementation
http://www.p12.nysed.gov/dignityact/documents/DASAGuidanceLocalImplementation.pdf
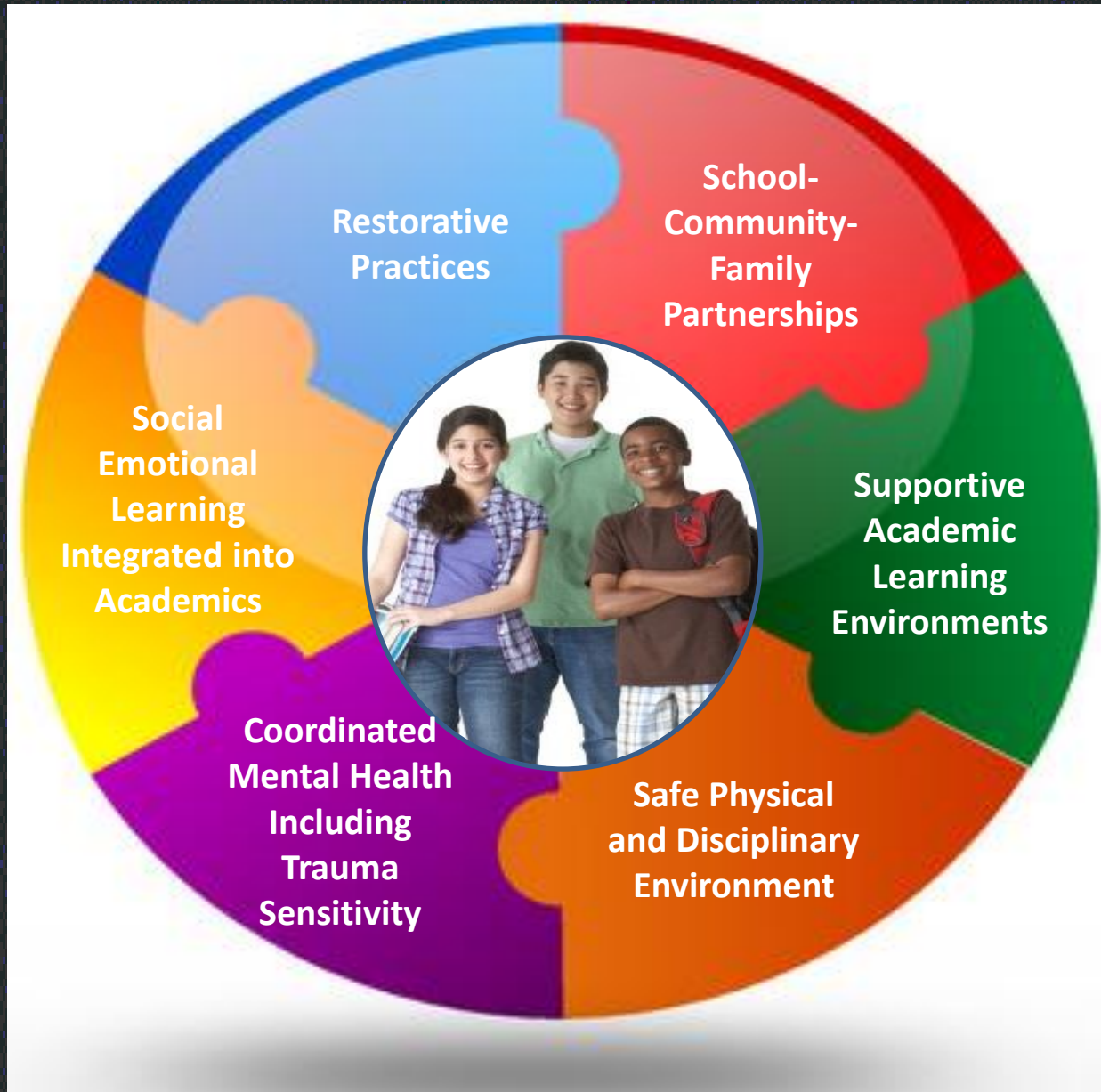
The best incident is the one that never happens.

"The school setting provides an opportunity to teach students, and emphasize among staff, that cooperation with and respect for others is a key value of the district, (BOCES, or charter school)."

http://www.p12.nysed.gov/dignityact/documents/DASAGuidanceLocalImplementation.pdf

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School Climate Matters

Change Process

- Form a group/committee of stakeholders

- Examine data for trends and plan for change

- Additional training for instructional and non-instructional staff, as needed

- Additional training for Dignity Act Coordinator as needed

- Set goals and strategies to improve school climate

- Develop/refine school policy and procedures

Universal Approaches to Promote a Positive School Climate

- Character Education

- Positive Behavioral Interventions and Support (PBIS)

- Positive Youth Development (PYD)

- Restorative Practices

- School-Based Mental Health Services

- School Development Program (SDP)

- Social and Emotional Learning (SEL)

- Trauma-Informed Approach

Presented by Assistant Commissioner Renee Rider at the June 12, 2017
Board of Regents meeting, Slide 21

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School Climate

US Department of Education (USDE)
School Climate Surveys

Engagement
- Cultural and linguistic competence
- Relationships
- School participation

Safety
- Emotional safety
- Physical safety
- Bullying/ cyberbullying
- Substance abuse
- Emergency readiness/ management

Environment
- Physical environment
- Instructional environment
- Physical health
- Mental health
- Discipline

https://safesupportivelearning.ed.gov/edscls/measures

School Climate

US Department of Education (USDE)
School Climate Resources

https://safesupportivelearning.ed.gov/scirp/about

School Climate Matters
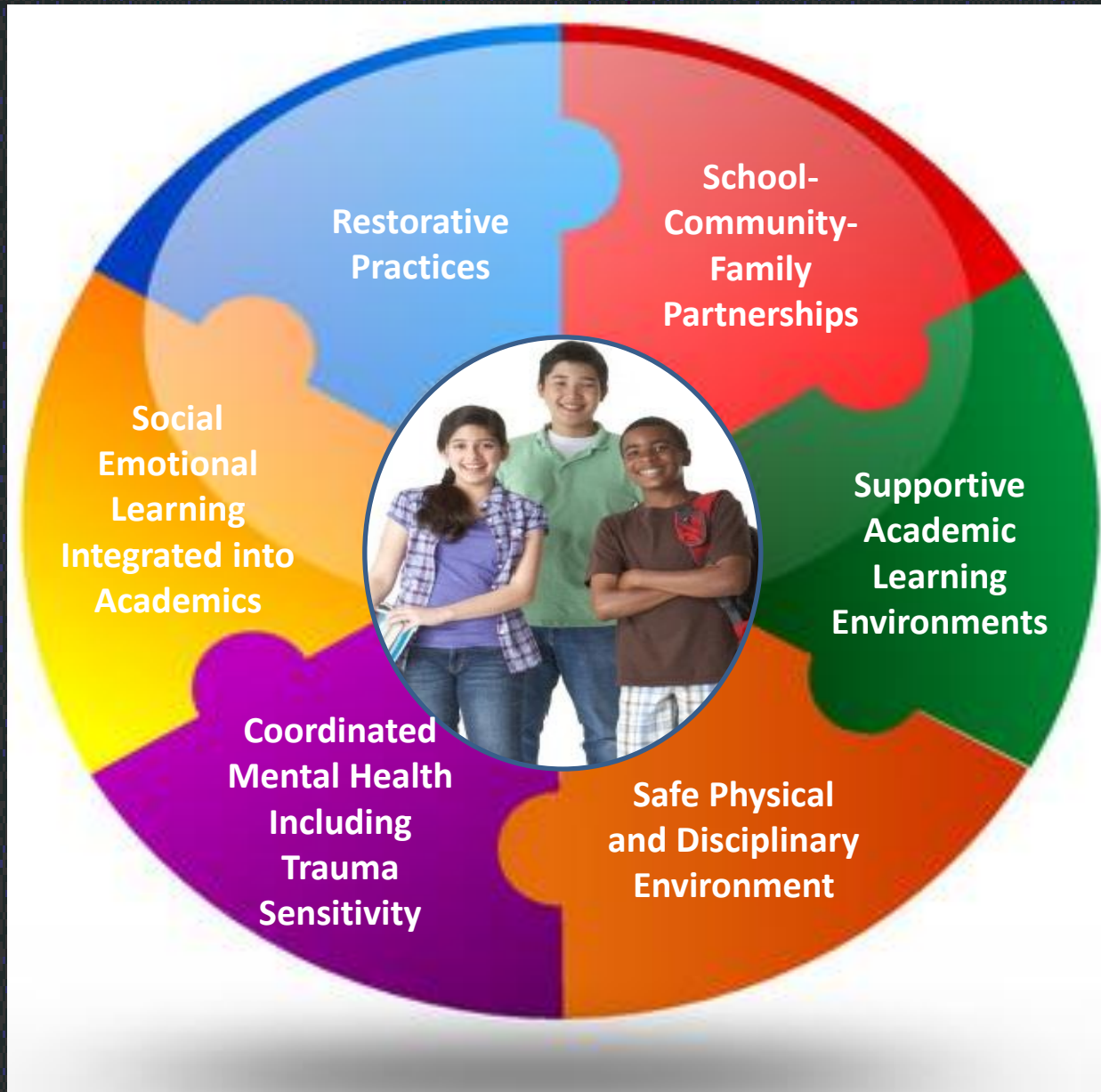
Questions

1. I still have a question about…
2. Now I know…
3. Where can I ….
4. Other comments?

Contact Information

NYSED Student Support Services
518-486-6090
http://www.p12.nysed.gov/sss/
SSEC@nysed.gov

New York State Center for School Safety

844-509-7161

www.nyscfss.org