**Youth Bullying Prevention Policy**

1. **Introduction and Definition**

The purpose of this Youth Bullying Prevention Policy (Policy) is to prevent incidents of bullying of youth who are committed to the D.C. Department of Human Services (DHS), report and investigate incidents of bullying, and connect affected youth to necessary services.

DHS is committed to protecting the dignity and safety of the youth served by DHS youth and community providers. This Policy prohibits any and all forms of bullying (including cyberbullying), harassment, and intimidation on DHS or DHS contractor or vendor property, at sponsored functions, and vehicles used for DHS business.

As set forth in the Youth Bullying Prevention Act of 2012 (D.C. Official Code § 2-1535.01 *et seq.*) and its accompanying regulations (4 DCMR § 1500 *et seq.*), bullying is defined as “any severe, pervasive, or persistent act or conduct, whether physical, electronic, written, or verbal that:

1. May be based on a youth’s actual or perceived race, color, ethnicity, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, intellectual ability, familial status, family responsibilities, matriculation, political affiliation, genetic information, disability, source of income, status as a victim of an intra-family offense, place of residence or business, or any other distinguishing characteristic, or on a youth’s association with a person or group with any person with one or more of the actual or perceived foregoing characteristics; and
2. Can be reasonably predicted to:
	1. Place the youth in reasonable fear of physical harm to his or her person or property;
	2. Cause a substantial detrimental effect on the youth’s physical or mental health;
	3. Substantially interfere with the youth’s academic performance or attendance; or
	4. Substantially interfere with the youth’s ability to participate in or benefit from the services, activities, or privileges provided by DHS or a DHS contractor, vendor, or grantee.”

Cyberbullying is defined as any bullying done through electronic means which meets the definition above, including, but not limited to, social media, electronic mail (email), texting or tweeting (4 DCMR § 1502.5).

The Youth Bullying Prevention Act defines “youth” as an “individual of 21 years of age or less who is enrolled in an educational institution or who accesses the services or programs provided by an agency or grantee, or an individual of 22 years of age or less who is receiving special education services from an educational institution” (D.C. Official Code § 2-1535.01). DHS and its providers, however, shall apply the protections of this Policy to youth as defined by the  Homeless Services Reform Act of 2005, as amended (HSRA), which defines youth as “a person who is under 24 years of age” (D.C. Official Code § 4-751.01(43)).  Other entities involved in youth bullying prevention, such as the District of Columbia Office of Human Rights, may be bound to the Youth Bullying Prevention Act definition.

* + - 1. **Statement Prohibiting Bullying**

Acts of bullying, including cyberbullying, whether by \_\_\_\_\_\_\_youth, clients, staff, volunteers, or interns are prohibited:

1. On \_\_\_\_\_\_\_\_\_\_\_ property, including buildings, fields, parking lots, and walkways including electronic communication on or with its property;
2. At any sponsored functions by \_\_\_\_\_\_\_\_\_ on or off \_\_\_\_\_\_ its property;
3. On any vehicle used for \_\_\_\_\_ business and at any transit stop at which youth wait to be transported by \_\_\_\_\_\_; and
4. Through electronic communication to the extent that it is directed at a youth and it substantially interferes with the youth’s ability to participate in or benefit from services, activities, or privileges provided by DHS or a DHS contractor, vendor, or grantee.

Retaliation against a \_\_\_\_ youth, client, staff member, volunteer, or intern who reports bullying, provides information about an act of bullying, or witnesses an act of bullying is also prohibited.

* + - 1. **Policy Application**

This Policy applies to all youth, clients, staff, volunteers, interns, and visitors on \_\_\_\_ property or attending any and all functions and activities conducted or sponsored by DHS or a DHS contractor, vendor, or grantee.

* + - 1. **Expected Code of Conduct**

\_\_\_\_\_\_\_\_\_ expects all youth, clients, staff, volunteers, interns, and visitors to follow the \_\_\_\_\_\_Program Rules and behave in a manner that supports and provides a safe and welcoming environment for youth, clients, staff, volunteers, interns, and visitors; to treat all youth, clients, staff, volunteers, interns, and visitors with respect and dignity; to respect the property of \_\_\_\_\_\_\_\_\_, its youth, clients, staff, volunteers, interns, and visitors; and to respond appropriately to instructions from \_\_\_\_\_ staff.

* + - 1. **List of consequences that can result from an identified incident of bullying**

Acts of bullying can result in a variety of consequences depending on individual situations. Consequences should include the least severe response with an emphasis on changing, managing, and teaching replacement behaviors. Consequences for individuals committing acts of bullying, harassment, or intimidation and for individuals engaged in reprisal or retaliation, to include individuals found to have made false accusations, should be consistently and fairly applied after an appropriate investigation has determined that such an offense has occurred. Responses to incidents of bullying may include, but are not limited, to the following:

1. Verbal redirection / reprimand;
2. Behavior contract / Professional Development training;
3. Short term suspension from programming / Administrative Leave;
4. Earlier curfew time;
5. Denial of overnight or weekend passes;
6. Suspension or termination of computer lab privileges;
7. Extended suspension from programming / Administrative Leave; and/or
8. Termination or ban of services / programming / Employment and/or from DHS facilities.

The consequences should be designed to:

1. Appropriately correct the bullying behavior;
2. Prevent another occurrence of the bullying or retaliation;
3. Ensure the safety and well-being of the person who has reportedly experienced or is reportedly at risk for future acts of bullying or retaliation; and
4. Be flexible so that in application they can be appropriate to the individual incident and varied in method and severity based on the nature of the incident, developmental age of the person bullying, and any history of problem behavior from all person(s) involved.
	* + 1. **Reporting Acts of Bullying**

\_\_\_\_\_\_\_\_\_\_\_ expects all youth, clients, staff, volunteers, interns, and visitors to promptly report incidents of bullying or retaliation for reporting an act of bullying they witness or are made aware of for which they have reliable information.  All incidents of bullying should be reported immediately to the Point of Contact below, either by mail, telephone, facsimile, electronically, or through an anonymous drop box:

1. Jon Doe, Case Manager, 202-555-1234, jon.doe@xyz.com

If an individual is unable to report the complaint to the above Point of Contact, the complaint may be made to the below member(s) of the management or leadership team, who shall refer the complaint to the Point of Contact for investigation. If the management or leadership team determines that the Point of Contact is not an appropriate investigator for a specific complaint, then the management or leadership team shall assign another investigator.

1. Jane Doe, Program Director, 202-555-1235. Jane.doe@xyz.com

Reports of bullying by youth, clients, staff, volunteers, interns and visitors may be made anonymously, but a formal response such as disciplinary action cannot be taken solely on the basis of an anonymous report; however, an anonymous report may trigger an investigation that will provide actionable information.

Reports of bullying shall be kept confidential to the extent possible. *{insert agency name}* will take every possible measure to ensure the privacy and confidentiality of all parties in an incident. To ensure confidentiality, reports provided to outside agencies will not include identifying information about the parties involved in an incident, and will report identifying information only to the investigator assigned to the case. The person designated by a covered entity to investigate bullying, retaliation, and other violations of the bullying prevention policy *{insert name of Point of Contact}* shall create a written description of each incident of bullying, retaliation, or other violation of the bullying prevention policy that was reported to him or her and where applicable, shall include the description on a Unusual Incident Reporting form. However, if the Point of Contact learns during the course of the investigation that the reported incident involves criminal activity, the Point of Contact shall communicate such information to *{insert name of a higher authority in the agency}*. If the reported incident or statements during the investigation indicate credible and imminent threat of harm or criminal activity, the Point of Contact shall immediately report such information to the appropriate law enforcement authorities and to [the Principal or the equivalent].

* + - 1. **Investigating** **Acts of Bullying**

Reported acts of bullying must be promptly investigated by the designated investigator and no later than two (2) business days of receiving the complaint and complete the investigation within thirty (30) days of receiving the complaint. {*insert name, title and contact information}* will be the designated person to conduct the investigation. Upon receiving a report of bullying, the designee shall:

* 1. Within twenty four (24) hours, take steps such as designating a staff member to serve as that alleged victim’s “safe” person, to ensure the safety of the alleged victim referenced in a reported bullying incident. These steps shall be designed to restore a sense of safety to the victim and to protect them from further incidents.
	2. In investigating an incident of bullying, the investigator will seek to ensure that the reported incident is one of victimization, a sign of bullying, rather than of conflict.
	3. As part of the investigation, the investigator shall interview involved or relevant parties, which may include alleged victims, alleged offenders, witnesses, staff, volunteers, interns, visitors, parents, or guardians.
	4. Apply consequences that are consistent with client rights outlined in the HSRA where applicable; and
	5. Create a written record of the incident, disciplinary actions taken, including statements from the victim, witnesses, and alleged offender(s).
		+ 1. **Protection Against Retaliation**

\_\_\_\_\_\_\_\_\_or \_\_\_\_\_\_\_\_’s designee will take appropriate steps to protect individuals, youth, clients, staff, volunteers, interns, visitors, alleged offender, or accuser from retaliation when they report, file a complaint, are the subject of a complaint, or cooperate in an investigation concerning a violation of the Youth Bullying Prevention Policy. Acts of retaliation, whether person-to-person, by electronic communications, or through third parties, are serious offenses that will subject the violator to consequences and corrective action including but not limited to those listed in Section IV of this Policy.

* + - 1. **Appeal/Grievance Process**

Parties dissatisfied by the outcome of a bullying investigation may appeal the determination of the designated investigator to *{insert name of a higher authority in the agency}.* This appeal should be submitted no later than thirty (30) days after the initial determination. Upon receipt of an appeal, *{insert name of a higher authority in the agency}* must conduct a secondary investigation within thirty (30) days of the receipt of an appeal. This 30 days may be extended up to an additional fifteen (15) days if the *{insert name of a higher authority in the agency}* sets forth in writing the reasons why more time is needed to conduct an investigation. Additionally, upon the receipt of an appeal, the *{insert name of a higher authority in the agency}* must inform the party making the submission of their ability to seek additional redress under the DC Human Rights Act.

Nothing in this Policy shall be construed to limit the right of a client to assert or seek redress for a claim under \_\_\_\_\_ Program Rules or the HSRA. To determine if this process applies, the client should contact the Point of Contact *{insert name and contact information}*, review the written notice of the adverse action, and see the Program Rules for more information.

The policy will be distributed to youth, clients, staff, volunteers, interns, and visitors visiting, utilizing and working at *{insert agency name}.* *{insert agency name}* will emphasize that the policy applies to participation in functions sponsored by *{insert agency name}.*

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Print Name Date**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Title**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Signature**