

Department of Behavioral Health
TRANSMITTAL LETTER

SUBJECT Bullying Prevention Policy for Youth		
POLICY NUMBER DBH Policy 515.2	DATE DEC 03 2013	TL# 196

Purpose. The purpose of this policy is to establish a Department of Behavioral Health (DBH) bullying prevention policy to prevent incidents of bullying of youth, report and investigate incidents of bullying, and connect affected youth to necessary services.

Applicability. Applies to all DBH staff and volunteers; DBH providers with a Human Care Agreement or contract, contractors and grantees who serve children and youth; and all child and youth functions sponsored by DBH and DBH child and youth providers.

Policy Clearance. Reviewed by affected responsible staff and cleared through appropriate Behavioral Health Authority offices.

Implementation Plan. Specific staff should be designated to carry out the implementation and training for this policy as needed, and program managers are responsible for following through to ensure compliance.

Policy Dissemination and Filing Instructions. Managers/supervisors of DBH and DBH contractors must ensure that staff are informed of this policy. Each staff person who maintains policy manuals must promptly file this policy in the DBH Policy and Procedures Manual, and contractors must ensure that this policy is maintained in accordance with their internal procedures.

ACTION

REMOVE AND DESTROY


None

INSERT

DBH Policy 515.2



Stephen T. Baron
Acting Director, DBH

GOVERNMENT OF THE DISTRICT OF COLUMBIA  DEPARTMENT OF BEHAVIORAL HEALTH	Policy No. 515.2	Date DEC 03 2013	Page 1
	Supersedes None		

Subject: Bullying Prevention Policy for Youth

1. **Purpose.** The purpose of this policy is to establish a Department of Behavioral Health (DBH) bullying prevention policy to prevent incidents of bullying of youth, report and investigate incidents of bullying, and connect affected youth to necessary services.

2. **Applicability.** Applies to all DBH staff and volunteers; DBH providers with a Human Care Agreement or contract, contractors and grantees who serve children and youth; and all child and youth functions sponsored by DBH and DBH child and youth providers.

3. **Authority.** DC Code § 2-1535.01 *et seq.*, District of Columbia Youth Bullying Prevention Act of 2012.

4. **Definitions.**

4a. **Bullying** – Any severe, pervasive, or persistent act or conduct whether physical, electronic, 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 reasonably be predicted to:

- (a) Place the youth in reasonable fear of physical harm to their person or property;
- (b) Cause a substantial detrimental effect on the youth's physical or mental health;
- (c) Substantially interfere with the youth's academic performance or attendance; or
- (d) Substantially interfere with the youth's ability to participate in or benefit from the services, activities, or privileges provided by an agency, educational institution, or grantee.

4b. **Youth** - For the purposes of this policy, "youth" means either: (1) 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; or (2) individuals as described in the first subsection of the official definition of bullying considered as a group.

4c. **Cyber bullying** – bullying that takes place using electronic technology, such as cell phones, computers, and tablets, as well as communication tools including social media sites, text messages, chat, pictures or videos, and websites as a means of victimizing others.

5. Policy.

5a. Acts of bullying, harassment and intimidation of youth will not be tolerated. Acts of bullying, including cyber bullying, whether by youth, volunteers or staff, are prohibited:

(1) At DBH/DBH provider service sites and immediately adjacent property, at DBH/DBH provider sponsored or related events or through the use of any DBH/DBH provider electronic devices; and

(2) At a location or function unrelated to DBH, through the use of any electronic device, if the acts of bullying or cyber bullying create a hostile environment at the agency for the victim or witnesses, infringe on their rights as a DBH consumer, or materially and substantially disrupt the orderly operation of DBH child and youth system of care.

5b. Retaliation against a youth, volunteer, staff member, or member of the community, who reports bullying, provides information about an act of bullying, or witnesses an act of bullying is also prohibited.

5c. DBH will investigate all reported incidents of bullying, harassment and intimidation and address appropriately.

5d. DBH will incorporate bullying prevention messages and efforts into all aspects of its operations that serve youth or that support youth serving operations.

6. Code of Conduct for DBH Youth. DBH expects youth to behave in a way that supports DBH's objective to provide a safe and welcoming environment for other youth, staff, and community members. Youth who are part of the DBH child and youth system of care are expected to:

- Treat all members of the DBH community with respect;
- Respect the property of DBH, its staff, and other youth connected to DBH; and
- Respond appropriately to instructions from DBH staff.

7. DBH Responsibilities. Responsibility for the implementation and execution of this policy is vested with the Director of Child and Youth Services Division (CYSD), who shall designate a DBH Bullying Prevention Coordinator.

The Bullying Prevention Coordinator will be responsible for coordinating the DBH bullying prevention efforts to include:

- Planning and organizing training activities (also see Section 13 below);
- Designing or choosing and implementing the programming and curricula the agency uses to address bullying;
- Receiving and recording incidents of bullying;
- Responding to incidents of bullying and addressing the needs of victims and bullies in the DBH child and youth system of care, and/or other students/youth that may be referred for remedial services from other District departments/agencies;
- Managing the data collection process in cooperation with the District citywide coordinator for youth bullying;
- Effectively using the data collected to identify trends and plan data-driven strategies to reduce incidence of different forms of bullying; and
- Regularly reviewing and updating the DBH Bullying Prevention Policy for Youth.

8. Reporting Youth Bullying Incidents.

8a. All DBH staff members and volunteers; DBH provider staff, contractors and grantees who serve youth; or any other individual who witnesses or is made aware of an incident of bullying or retaliation of a DBH youth, shall immediately report the incident.

(1) DBH staff members and volunteers, DBH provider staff, contractors and grantees shall report the incident through the DBH Major Unusual Incident Reporting process (when completing the Major and Unusual Incident Report Form, choose the appropriate MUI code, identify as a bullying incident in the "Description of Incident" section of the form, and provide specific details of the incident), which will in turn alert the Office of Accountability to notify the DBH Bullying Prevention Coordinator.

(2) Youth, parents, guardians, and community members are encouraged by DBH to report any incidents of bullying that they witness or become aware of; and may report the incident by emailing the details of the incident to the DBHbullying.reports@dc.gov, or by calling the DBH Bullying Prevention Coordinator at 202-834-0258.

Reports of bullying may be made anonymously, if desired, through the DBH Compliance Hotline at 1-800-345-5564. Corrective actions cannot be taken by DBH solely on the basis of an anonymous report, however, an anonymous report may trigger an investigation which could result in corrective actions (see Sections 9 and 10 below).

8b. Bullying reports should include information to guide the investigation such as:

- Whether you are a victim or witness and whether you and the victim are a youth, parent/guardian, staff member, or other;
- Name of victim;
- Witnesses to incident(s);
- Name of the bully;
- Date and time of the incident;
- Type of aggression (verbal, physical, cyber bullying, etc.);
- Location of incident;
- Description of what happened; and
- Name of person filing the report and contact information (optional if reporting anonymously through the DBH Compliance Hotline).

8c. The DBH Bullying Prevention Coordinator will conduct an investigation, and include the incident in the agency's reports of bullying incidents to the District citywide coordinator for youth bullying, as required.

9. Investigating Incidents of Bullying. The DBH Bullying Prevention Coordinator will:

9a. Prior to the investigation of an incident:

- Take steps to ensure the safety of the alleged victim referenced in a reported bullying incident;
- Notify parents and guardians, schools, and law enforcement agencies, as applicable, and to the extent allowed by law. Notification will be undertaken to ensure that services are provided to victims and bullies to protect victims from further or sustained victimization; and
- Make every effort to protect the confidentiality of those who report bullying incidents.

9b. Initiate an investigation of an incident within no more than one (1) day after receiving a report of bullying, and conclude the investigation no later than thirty (30) days after the receipt of such a report. As part of the investigation, the DBH Bullying Prevention Coordinator will:

- Maintain communication and consult with the DBH Office of Accountability regarding the incident/investigation.
- Interview any involved or relevant parties including alleged victims, bullies, witnesses, staff, parents or guardians.
- Provide confidentiality as far as possible to relevant parties as part of the investigation, and inform all relevant parties that retaliation for reporting acts of bullying is prohibited.
- Maintain written records of the reported incident and investigation process for as long as affected youth are in the DBH child and youth system of care.
- Log incident in the bullying incident database.

9c. Consult with the Director of CYSD as necessary, and make determinations as to whether a reported incident constitutes a case of bullying.

- These determinations will be made in consideration of the totality of the facts and the circumstances surrounding the incident.
- If the DBH Bullying Prevention Coordinator determines that an incident of bullying has occurred, he/she will take steps to prevent the recurrence of an incident and restore the safety of a victim, as appropriate dependent on the situation. For example, depending on the severity of the event and the number of previous incidents (if any) if the involved youth attend the same school, the following may be recommended: a) seating change, b) classroom change, and/or c) different times for victim and/or student who did acts of bullying to eat, have recreation times together, etc.
- When making the above determinations, the DBH Bullying Prevention Coordinator will consult with the victim (or the victim's parents/guardians/primary caregivers, if appropriate) in order to determine his or her preferences regarding any possible seating changes, classroom changes, or other scheduling alterations. The DBH Bullying Prevention Coordinator will also take steps to minimize the disruption to the victim.

9d. Notify the affected parties (bully and victim of bullying, and parents or legal guardians) in writing of outcome of the investigation and recommended actions, and provide a copy of the investigative report to the CYSD Director; Office of Accountability; and the Senior Deputy Director, Office of Programs and Policy.

10. **Consequences that can Result from an Identified Incident of Bullying.**

10a. Dependent on the type and/or severity of the incident, the history of youth involved, the age and developmental status of the youth involved, the following actions may be taken or recommended for the bully:

- (1) referral to counseling and/or therapy to address the unacceptable behavior if the youth is not currently receiving those services;
- (2) enrollment in positive behavior interventions including bullying prevention services to reduce alienation, increase engagement, and reduce contact with the juvenile justice system; and
- (3) ban or suspension from certain activities (e.g., field trips, group sporting events).

10b. To ensure that single incidents of bullying do not become recurring problems, the DBH Bullying Prevention Coordinator may refer victims and bullies involved in an incident to services in addition to imposing sanctions on bullies.

10c. Remedial services to which youth are referred are not designed to be punitive.

(1) Remedial services provided to the victim and witnesses are designed to restore youth's sense of safety and to empower them to address bullying incidents in a constructive and non-violent manner.

(2) Remedial services provided to the bully are designed to correct the thinking patterns, behaviors, and skill deficiencies that led to the incident, turning a bullying incident into a teachable moment.

10d. Consequences/sanctions will be applied within one (1) week of the determination that an incident of bullying has occurred, unless an appeal of the incident by the bully has been received in that time as described in Section 11, Appeal Process, below.

11. **Appeal Process.**

11a. Individuals (bully and victim of bullying, and parents or legal guardians) who are dissatisfied by the outcome of a bullying investigation may appeal the determination of the DBH Bullying Prevention Coordinator to the CYSD Director no later than thirty (30) days after the initial determination.

11b. Upon receipt of an appeal, the CYSD Director/designee will conduct a second investigation and request any additional information within thirty (30) days of the receipt of an appeal.

- The thirty (30) days may be extended up to an additional fifteen (15) days if the CYSD Director/designee sets forth in writing the reasons why more time is needed to conduct an investigation.
- The CYSD Director/designee will provide final written determination to affected parties and provide copies to the DBH Bullying Prevention Coordinator, Office of Accountability, and Senior Deputy Director, Office of Programs and Policy.

11c. Additionally, upon receipt of an appeal, the CYSD Director/designee must inform the appealing party of their ability to seek additional remedies under the DC Human Rights Act.

12. **Publication of Policy.** This policy will be:

12a. Available on the DBH website,

12b. Distributed to youth and parents of youth upon enrollment in the DBH child and youth system of care, and

12c. Included in all publications of solicitations and agreements for contracts and grants that involve youth.

13. **Training.**

13a. DBH will provide training on the prevention of youth bullying to all new employees at new employee orientation.

13b. Each CYSD staff member and CYSD volunteers will be given a copy of the DBH Bullying Prevention Policy for Youth and additional training as appropriate, based on their position of record.


13c. DBH will also develop a plan for discussing the bullying policy with youth, publicize that this policy applies to participation in functions sponsored by an agency, inform DBH youth of their right to be free from bullying, and the consequences that can be expected for participating in bullying behavior.

14. **Data Collection.** The DBH Bullying Prevention Coordinator will provide reports of bullying incidents and outcomes as directed by the District city-wide coordinator for youth bullying.

15. **Inquiries.** Questions about this policy and bullying prevention efforts should be directed to the DBH Bullying Prevention Coordinator or the Director, CYSD.

Approved by:

Stephen T. Baron
Acting Director, DBH

 12/3/2013
(Signature) (Date)