



**THE DISTRICT OF COLUMBIA
DEPARTMENT OF YOUTH REHABILITATION SERVICES
POLICY AND PROCEDURES MANUAL**

POLICY NUMBER:	DYRS-024
RESPONSIBLE OFFICES:	Agency-wide
EFFECTIVE DATE OF POLICY:	November 27, 2013
SUPERSEDES POLICY:	N/A
SUBJECT:	Bullying Prevention

I. PURPOSE

This policy serves as the Department of Youth Rehabilitation Services (hereinafter, “DYRS” or “Agency”) bullying prevention plan. Acts of bullying, harassment and intimidation are an attack on core DYRS values. Thus, to facilitate our mission, DYRS has established this comprehensive bullying prevention policy. This policy protects the dignity and safety of the DYRS community and describes DYRS’s prevention strategies to identify and prevent incidents by connecting youth to necessary services. DYRS will promptly report and investigate all incidents of bullying, harassment and intimidation and provide appropriate remedies for victims of an incident.

II. DEFINITIONS

- A. Bullying** – DYRS defines bullying as 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 intrafamily offense, place or 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.
- B. Graduated Responses Protocol** - Structured, incremental responses to either non-compliant or positive behavior while the youth is under DYRS supervision.
- C. Office of Internal Integrity** - The office responsible for the swift and competent internal investigations into allegations and indications of unprofessional and unlawful conduct by employees or contractors of the Department and investigating allegations of abuse and neglect of youth in DYRS’s custody.

III. SCOPE

The policies herein shall apply to all youth committed to DYRS's care, DYRS employees, contractors, vendors, and individuals providing services to DYRS youth and families.

IV. GENERAL POLICY

A. Prohibitions Against Bullying:

Acts of bullying, including cyber-bullying, whether by youth, volunteers or staff, are prohibited:

1. On DYRS grounds and immediately adjacent property, at DYRS-sponsored or related events on and off DYRS grounds, on any vehicle used for DYRS business, at any transit stop at which youth wait to be transported to DYRS business, or through the use of any electronic devices owned by DYRS, leased by the Agency or used for DYRS business; and
2. At a location or function unrelated to the Agency, through the use of any electronic devices, including those not owned or leased by DYRS, if the acts of bullying or cyber-bullying create a hostile environment at the agency for the victim or witnesses, infringe on their rights at the Agency, or materially and substantially disrupt the orderly operation of the Agency.
3. Retaliation against a youth, volunteer or staff member who reports bullying, provides information about an act of bullying, or witnesses an act of bullying is also prohibited.

B. Code of Conduct

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

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

C. Reporting Incidents of Bullying or Retaliation

DYRS expects all staff members and volunteers to report incidents of bullying or retaliation they witness or are made aware of. Staff members should immediately report all such incidents to the DYRS's Senior Program Manager for Residential Programs and Services, or designee, and create a written report of a bullying incident and include the incident in DYRS's reports of bullying incidents to the citywide coordinator.

Youth, parents, guardians, and community members are encouraged by DYRS to report any incidents of bullying they witness or become aware of to a DYRS staff member.

Reports of bullying by youth, parents, guardians and community members may be made anonymously, but disciplinary action cannot be taken by DYRS solely on the basis of an anonymous report, though such a report may trigger an investigation that will provide actionable information. All oral reports received as part of this process will be transcribed into writing.

DYRS will ensure that there are reporting materials available in a wide variety of languages and that information about reporting is communicated to youth connected to DYRS in an age appropriate manner. Information on how to report incidents of bullying will also be included as appropriate to DYRS youth and their families. DYRS staff will be available to assist in reporting incidents of bullying and can be reached at (202) 576-8175.

D. Investigating Incidents of Bullying

Prior to the investigation of an incident, the Senior Program Manager for Residential Programs, or designee, will take steps to ensure the safety of the alleged victim referenced in a reported bullying incident. These steps will be designed to restore a sense of safety to the victim and to protect them from further incidents if necessary. Examples of such steps taken include designating a staff member to serve as that alleged victim's "safe" person, altering the alleged bully/bullies' seating or schedule to reduce access to the alleged victim or creating a safety plan in consultation with the alleged victim. Once an investigation is concluded, further steps will be taken as needed to assure the continued safety of the victim from additional incidents of bullying or retaliation.

Once a report of bullying has been received by an agency, the following groups will be notified as needed by the youth's social worker, so long as, in the absence of legal imperative, the parent or guardian's written consent is obtained prior to notification.

Parents and guardians: DYRS will notify the parents or guardians of victims, bullies, and if appropriate, witnesses to an incident of bullying behavior about the nature of the incident and the procedures and steps in place for responding to it. The social worker will determine if parents or guardians should be informed prior to or after the investigation of an incident.

Schools: DYRS will notify the schools of all victims and bullies in an incident of bullying to ensure that youth are not victimized across agencies and that comprehensive service and protection can be provided to bullies and victims.

Law enforcement agencies: If DYRS determines that the reported incident may involve criminal activity or the basis for criminal charges, information about the incident must be conveyed to the appropriate law enforcement authorities. As part of making this determination the social worker may wish to consult with either a law enforcement officer or legal counsel. Law enforcement shall only be contacted if all other available remedies have been exhausted.

DYRS will notify these groups of incidents of bullying only to the extent allowed by law. Notification will be undertaken solely to ensure that services are provided to victims and bullies and to protect victims from further or sustained victimization. DYRS will make every effort to protect the confidentiality of those who report bullying incidents.

The Senior Program Manager for Residential Programs and Services, or designee, is responsible for investigating reports of bullying. An investigation of an incident will be initiated no more than one day after

the Senior Program Manager for Residential Programs and Services, or designee, receives a report of bullying and will conclude no later than 30 days after the receipt of such a report. As part of the investigation the Senior Program Manager for Residential Programs and Services, or designee, will interview any involved or relevant parties including alleged victims, bullies, witnesses, staff, parents or guardians.

The Senior Program Manager for Residential Programs, or designee, will 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.

In investigating an incident of bullying, Senior Program Manager for Residential Programs, or designee, will seek to ensure that the reported incident is one of victimization, a sign of bullying, rather than of conflict. Thus when investigating a reported incident the Senior Program Manager for Residential Programs and Services, or designee, will attempt to determine, through interviewing the victim, what mechanisms the victim had and has access to for halting the incident that occurred, and preventing future such instances. If the victim reports a few or no mechanisms for ending the incident or constructively dealing with future instances, that information will serve as compelling, though not conclusive evidence that the reported incident was an incident of bullying.

The Senior Program Manager for Residential Programs, or designee, is charged with making 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 Senior Program Manager for Residential Programs, or designee, determines that additional support is needed to conduct a thorough and equitable investigation they will contact the citywide prevention coordinator.

E. Sanctions and Remedies for Bullying

DYRS recognizes that for sanctions to be an effective component of a bullying prevention plan, they must be applied consistently, fairly, and equitably. To this end, DYRS shall ensure that staff follow the Graduated Responses Protocol when applying discipline to a youth for violating this policy.

F. Appeals

Parties dissatisfied by the outcome of a bullying investigation may appeal the determination to the Office of Internal Investigations ("OII"). This appeal should be submitted no later than 30 days after the initial determination. Upon receipt of an appeal, OII must conduct a secondary investigation within 30 days of the receipt of an appeal. This 30 days may be extended up to an additional 15 days if OII sets forth in writing the reasons why more time is needed to conduct an investigation. Additionally, upon the receipt of an appeal, OII must inform the party making the submission of their ability to seek additional redress under the DC Human Rights Act.

G. Publication

This policy will be made available on DYRS's website. The policy will be distributed to youth and guardians of youth committed to the care of the Agency. DYRS will emphasize that the policy applies to participation in functions sponsored by DYRS.

H. Compliance

DYRS's Ethics Officer is responsible for maintaining compliance with the *Youth Bullying Prevention Act of 2012*.

V. Forms

A. Attachment A – Graduated Sanctions Matrix

Approval of the Agency Director:

Director

Date