



Jah Kente International® is a Registered Trademark.

A Nonprofit 501(c)(3) Multidisciplinary Arts and Humanities Organization.

BULLY PREVENTION POLICY



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**[Bully Prevention Policy - Jah Kente International
®, Inc.](#)**

1. EXECUTIVE SUMMARY

The District of Columbia City Council's Youth Bullying Prevention Act of 2012, DC Code § 2-1535.03 (YBPA) and its implementing regulations require schools and other youth-serving organizations (including, but not limited to, government agencies, libraries, nonprofits, and community centers) to adopt comprehensive antibullying policies, that are implemented thorough reporting and investigation procedures, and to provide training for staff, and to maintain and report incident data.

Consistent with both the letter and spirit of YBPA, the Board of Jah Kente International®, Inc. (JKI) adopted the organization's bullying prevention policy, which is reviewed annually as central to the organization's culture.

The Bullying Prevention Policy is informed by evidence-based research and includes nine (9) elements of the law:

1. A legal definition of bullying.
2. A statement prohibiting bullying.
3. A statement that the policy applies to participation in functions sponsored by the agency agencies and JKI.
4. The expected code of conduct.
5. The list of consequences that can result from an identified incident of bullying.
6. A procedure for reporting bullying.
7. An investigation procedure that include the name and contact for people charged with investigating bullying.
8. An appeal process.
9. A statement that prohibits retaliation for reporting incidents of bullying.

The elements specifically have 4 key components:

1. An anti-bullying policy that includes each of the key components (i.e., definition, scope, reporting procedures, investigation procedures, appeal process) outlined in the YBPA.
2. Dissemination of the bullying prevention policy to students and parents by publishing the policy the JKI's website and other venues.
3. Bully Prevention training for all staff on an annual basis.
4. Report all bullying data relating to the Office of Human Resources on an annual basis, which includes, but is not limited to, the following: a. The number of unique incidents of bullying that were reported. b. The number of reported incidents that were based on a protected trait. c. The number of reported that were substantiated incidents of bullying. d. The types of consequences used in response to a substantiated incident of bullying.

2. NEEDS ANALYSIS

Background Research and Statistics

Bullying is widely acknowledged as one of the most traumatic occurrences in a child’s life, which may lead to negative life experiences, drastic and long-life outcomes if not redressed.

The National Bullying Prevention Center¹ reports data suggest that one in five children have been bullied.

Before the adoption of YBPA, the 2010 Youth Risk Behavior Survey administered to DC Public School (DCPS) students in grades six to twelve indicated that more than 25 percent of middle school students (grades 6-8) reported being bullied at school at least once in the previous year. An estimated 15.8 percent reported not going to school on one or more days because they felt unsafe. 13.9 percent were afraid of being beat up at school.

In June 2013, the Citywide Youth Bullying Prevention Program (YBPP) was established with the goal of reducing incidents of bullying across the District of Columbia by emphasizing prevention and proper procedures for responding when incidents occur. The incidences may occur in classrooms, during fieldtrips, recreational areas, hallways, elevators, and other common areas.

Students at-risk for bullying are targeted for varied reasons, from being including perceived as weak, unpopular, being different from peers based on gender identity such as LGBTQ, race, ethnicity /cultural, religious background, learning or physical disabilities; socio-economic status; place of residence, to political affiliation.

DCPS: [Frequency of reported bullying in SY 2021-2022.](#)²

Characteristics	Percentage of Report.
Race	4.9%
Color	2.2%
Ethnicity	2.6%
Religion	0.2%
National origin	0.2%
Sex	2.0%
Age	0.6%
Marital status	0.0%
Personal appearance	13.2%

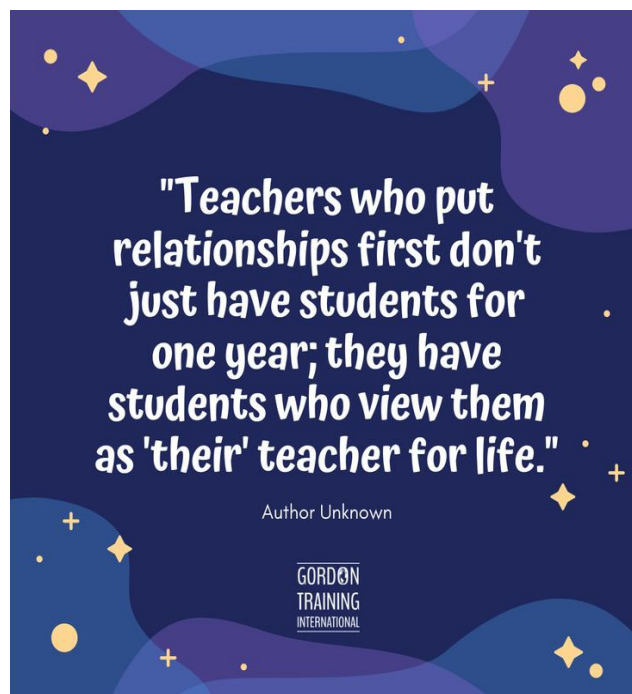
¹ [Bullying Statistics - National Bullying Prevention Center \(pacer.org\)](#)

² Bully Prevention in the District of Columbia. School Years 2021-2021, 2021-2022.

Sexual orientation	5.3%
Gender identity/expression	4.9%
Intellectual ability	7.7%
Familial status	1.4%
Family responsibilities	0.0%
Matriculation	0.2%
Political affiliation	0.2%
Genetic information	2.8%
Disability	5.9%
Source of income	0.9%
Status as a victim of an intra-family offense	0.1%
Place of residence or business	0.5%
Other distinguishing characteristic	5.0%
Not attributed to an enumerated characteristic	41.8%

Note: Percentages may sum to more than 100%, as reports could be based on multiple characteristics.

These risk factors and consequences, sometimes tragic, have brought bully prevention to the forefront of our local and national dialogue with researchers sensitizing in depth understanding of scope of long-term consequences associated with bullying, harassment, intimidation, including depression, suicide, substance abuse, aggressive behaviors, and truancy.



School (program) connectedness, the degree to which students feel part of their school community, influences more than grades. For Black students, it's a protective factor against depression and aggressive behavior later in life, according to a Rutgers University-New Brunswick study. "Our data provide fairly strong evidence for the idea that the experiences Black adolescents have in their school impacts their long-term mental health," said Adrian Gale, an assistant professor in the Rutgers School of Social Work, and lead author of the study published in the *Journal of Youth and Adolescence*.³

DEFINITION

Bullying

Bullying includes cyberbullying and means systematically and chronically inflicting physical hurt, emotional or psychological distress on one or more students. It is further defined as unwanted and repeated written, verbal, or physical behavior, including any threatening, insulting, or dehumanizing gesture that is severe or pervasive enough to create an intimidating, hostile, or offensive educational environment; cause discomfort or humiliation; or unreasonably interfere with the individual's program and educational activities.

JKI adopts the definition of "Bullying" from the Youth Bullying Prevention Policy Act 2012, which is defined as any severe, pervasive, or persistent act or conduct, whether physical, electronic or verbal that:

1. May be based on a student'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 of residence or business, or any other distinguishing characteristic, or on a student's association with a person, or group with any person, with one or more of the actual or perceived foregoing characteristics.
2. Shall be reasonably predicted to:
 - a. Place a student in reasonable fear of physical harm to his or her person or property.

³ Gale, A., Nepomnyaschy, L. School Connectedness and Mental Health Among Black Adolescents. *J. Youth Adolescence* (2023). <https://doi.org/10.1007/s10964-023-01898-0>. Published 08 November 2023

- b. Cause a substantial detrimental effect on the student's physical or mental health.
- c. Interfere with the student's academic performance or attendance.
- d. Interfere with the student's ability to participate in or benefit from program activities or services.
- e. Materially and substantially disrupts the education process or the orderly operation of organizational programs school.

Bullying also occurs when a student or group of students organizes a campaign of calumny to harass, libel, denigrate, defame, or spread rumors about, another student. Mutual fights between two students or among students who are angry with each other may not be considered bullying. The occurrence is subject to discipline according to the disciplinary rules that are consistent with the District of Columbia Municipal Regulations (DCMR), Title 5-B, Chapter 25 (referred to in this policy as "Chapter 25.")

Cyberbullying

Cyberbullying means bullying using technology or any electronic communication, which includes, but is not limited to, any transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic system, photoelectronic system, or photo optical system, including, but not limited to, electronic mail, Internet communications, Facebook, and other social media outlets such as Instagram, TikTok, twitter instant messages, text messages, or facsimile communications.

Cyberbullying includes the creation of a webpage or weblog in which the creator assumes the identity of another person, or the knowing impersonation of another person as the author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in the definition of bullying.

Cyberbullying also includes the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons, if the distribution or posting creates any of the conditions enumerated in the definition of bullying.

Cyberstalking

Cyberstalking means to engage in a course of conduct to communicate, or to cause to be communicated, words, images, or language by or with electronic mail or electronic communication, directed at a specific person, causing substantial emotional distress to that person and serving no legitimate purpose.

Code of the District of Columbia § 22–3133 defines stalking.

It is unlawful for a person to purposefully engage in a course of conduct directed at a specific individual:

1. With the intent to cause that individual to:
 - a. Fear for his or her safety or the safety of another person.
 - b. Feel seriously alarmed, disturbed, or frightened; or
 - c. Suffer emotional distress.
2. That the person knows would cause that individual to:
 - a. Fear for his or her safety or the safety of another person.
 - b. Feel seriously alarmed, disturbed, or frightened; or
 - c. Suffer emotional distress; or
3. That the person should have known would cause a reasonable person in the individual's circumstances to:
 - a. Fear for his or her safety or the safety of another person.
 - b. Feel seriously alarmed, disturbed, or frightened; or
 - c. Suffer emotional distress.
 - d. This section does not apply to constitutionally protected activity.
4. Where a single act is of a continuing nature, each 24-hour period constitutes a separate occasion. The conduct on each of the occasions need not be the same as it is on the others.

Harassment

Harassment means any threatening, insulting, or dehumanizing gesture, use of data or computer software, or written, verbal, or physical conduct directed against a student or school employee that:

1. Places a student or staff in reasonable fear of harm or damage to the individual's property.
2. Has the effect of substantially interfering with a student's educational performance, social participation, opportunities, or benefits; or
3. Has the effect of substantially disrupting the orderly operation of a school.

Bullying and **harassment** also include:

Retaliation against a student or staff by another student or staff for asserting or alleging an act of bullying or harassment. Reporting an act of bullying or harassment that is not done in good faith is considered retaliation.

Perpetuation of conduct listed in the definition of bullying or harassment by an individual or group with intent to demean, dehumanize, embarrass, or cause emotional or physical harm to a student includes:

- Incitement or coercion.
- Accessing or knowingly and willingly causing or providing access to data or computer software through a computer, computer system, or computer network within the scope of the organization system; or
- Acting in a manner that has an effect like the effect of bullying or harassment.

Effects on Bullied Children and Youth

- Being bullied is associated with later:
 - Internalizing problems
 - Depression, anxiety, panic disorder, self-harm, suicidal thoughts and attempts
 - Psychosomatic problems
 - Headaches, stomach pain, sleeping problems, poor appetite
 - Academic problems
 - Externalizing behavior



stopbullying.gov

4. STATEMENT OF POLICY PROHIBITING BULLYING.

Jurisdictional Convention



JKI provides holistic programming in a “small learning community” that is welcoming and where all youths, regardless of their backgrounds, feel emotionally and physically secure and supported in a learning environment. Safety allows students to interact and participate in all activities unhindered by bullying and harassment. The assurances enable learning to occur and flourish in an atmosphere of mutual respect that promotes respect for diversity, inclusion, equity, and access for all students to achieve and thrive in body, mind, and soul.

JKI program model is characterized by elements of a *small learning community* in a system that projects common sense of purpose and powerful peer influences:

- ✓ Youth interaction is characterized by the four I’s – involvement, investment, influence, and identity.
- ✓ Sense of belonging.
- ✓ System Thinking - Interdependence or reliance among the members.
- ✓ Responsibility and trust among members.
- ✓ Confidence in the shared purpose of the program
- ✓ Collaboration and connection among learners.
- ✓ Sharing of knowledge and resources.
- ✓ Support, with emphasis on open, cohesive communication.

Alignment with DCPS Capital Commitment

JKI's Philosophical Convention addresses initiative-taking anti-bullying approaches on four key areas that are prioritized by DCPS:

1. Promotion of positive behavior and positive organizational culture.
2. Whole-organizational prevention and intervention
3. Investigation into every bullying incident
4. Providing multi-layered positive Behavioral Interventions and Supports to individuals involved in bullying incidents.

JKI's Bully Prevention Policy is aligned with 2 of DCPS's five Capital Commitment Goals:

- Goal 1 that promotes proficiency in reading and math to 70%, increase in the number of advanced students.
- Goal 4 with at least 90% of students will say they like organization's programming.

Numerous research and studies indicate that lower levels of bullying and higher levels of positive school climate/culture are associated with higher levels of academic growth as well as student with profound and enduring impact on academic achievement. One of the studies emphasizes the need for schools to address the emotional and behavioral difficulties occurring because of bullying to improve the overall educational experience of a child.⁴

5. POINT OF CONTACT

Director or Designee

The point of contact for the implementation of the Bullying Prevention Policy is the Director or designee. The name of the Point of Contact shall be posted at the program office and will be updated if there are personnel changes.

Main Roles and Responsibilities

The Point of Contact:

- Coordinates the developing bullying prevention policies and programs.
- Compiles and makes available to each covered entity a list of free or low-cost methods for establishing bullying prevention programs.
- Conduct training for covered entities on bullying and techniques for investigating allegations of bullying on a periodic basis when requested.

⁴ Educational achievement and bullying: The mediating role of psychological difficulties. [Br J Educ Psychol](#). 2022 Dec; 92(4): 1487–1501. Published in the National Library of Medicine.

- Ensures that the bullying prevention policy is compliant and implemented with regards to reporting, investigating, and addressing alleged incidents. This approach will provide an immediate response to parents and guardians as well as provide support and guidance for all parties (families and school or agencies) to ensure that appropriate steps are taken to address the situation.
- Investigates reports on incidence of bullying.

Safe Person

A Safe Person is determined by the student and is someone without fear of being made to feel uncomfortable, unwelcome, or unsafe. including during difficult experience such as bullying.

Main Roles and Responsibilities

The Safe Person:

- Works on a one-one- basis with the student to understand the problems, obstacles, and difficulties the student is experiencing.
- Ensures consistent communication across parties to generate a continuum of resources to support the student in making transition from the negative experiences.
- Work closely with other departments to integrate the peculiar experience, perspectives, and wellness of the student in prevention and intervention strategies.

Safe Space

A Safe Space where a student can relax and fully self--expressed without fear of being made to feel uncomfortable, unwelcome, unsafe or misunderstood. This is not limited to a physical space; safe space also refers to protection from psychological or emotional harm, which has a significant impact on their learning and well-being of the students.

6. PUBLICATION OF BULLY PREVENTION POLICY

Procedure

At the beginning of each program year, the Director or designee year, shall, in writing, inform program staff, parents/legal guardians, or other persons responsible for the welfare of a student of the organization's student safety and violence prevention policy. This Bully Prevention policy is posted on JKI's website.

Each district school shall provide notice to students and staff of this policy through by publishing it the code of student conduct. The Director or designee also make all contractors contracting with the program aware of this policy.

The Director or designee shall also send reminders of Reminders of the policy and bullying or harassment prevention messages such as posters and signs will be displayed around each program site and special events.

Communication Convention

JKI believes with clearly defined expectations of behaviors, sets of process and standardization of consequences for violations, JKI will impartially implement compliance and address concerns with rules and regulations in applying discipline fairly and leave no room for arbitrary enforcement of decisions by individuals.

7. CODE OF CONDUCT

Expected Behaviors

An explicit tenet of the JKI's Bully Prevention guidelines is for students to learn how to choose to act and reflect on the effects of their actions on the welfare of the self, peers, members of the learning community and the environment.

The students, parents/legal guardians, staff, and community members cooperatively set Code of Conduct to create and maintain an atmosphere that encourages students to demonstrate respect for self and others, as well as for organization's property. Since students learn by example, school administrators and staff, and volunteers are expected to demonstrate appropriate behavior, treat others with civility and respect.

The Bully Prevention Policy is part of the Student Code of Conduct that is expected to be complied with individually, collectively, and organizationally to uphold a culture that is

welcoming in a safe environment that enables interaction among students, staff, parents, and other stakeholders and how to resolve conflict in a positive way.

Involving all stakeholders in the process of addressing Code of Conduct fosters a positive culture built on shared values and common objectives (Cicccone & Freibeg, 2013) where members:

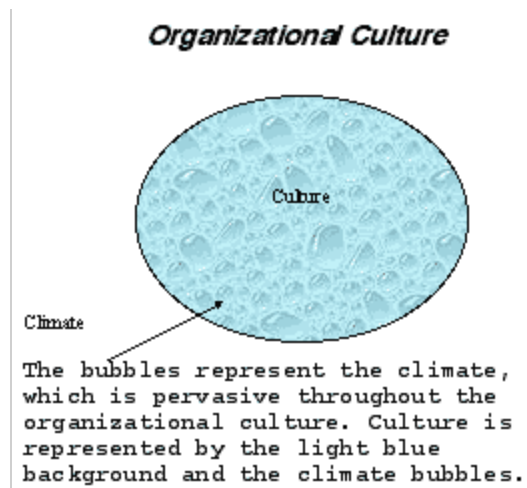
- Help students to identify bullying when it happens and to speak up to safe persons and trusted adults about it when an incident violation occurs.
- Give students the confidence to seek support.
- Provide support to victims of bullying and corrective measures to those who bully.
- Proactively promote a conducive environment that support students to grow up happily, free to pursue and enjoy their own passion but with consideration for others, and free from harassment.

Acts of bullying by students are prohibited:

- a. At JKI's administrative and program premises, including elevators, hallways, cafeteria, gym.
- b. At non-JKI premises where JKI activities take place.
- c. On program transportation including stop locations.
- d. When using organizational property or equipment.
- e. When walking to and from program activities.
- f. At other place where a student has access to technology during program hours.

Integrating Bully Prevention into the Organizational Culture

JKI organizational culture is crucial for a supportive and conducive learning environment that promotes the academic, social, and emotional development of students. It begins establishing a clear mission and shared vision, implementing positive behavior support systems, cultivating relationships and communication among staff, students, parents, and other stakeholders, celebrating inclusion, diversity, equity and access, investing in professional development and support for staff, and promoting student voice and parental engagement.



Terrence E. Deal and Kent D. Peterson (1990) noted that the definition of culture includes "*deep patterns of values, beliefs, and traditions that have been formed over the course of [the school's] history.*" Paul E. Heckman (1993) reminds us that school culture lies in "*the commonly held beliefs of teachers, students, and Directors.*"

Bullying prevention is relevant to, and reflective of, JKI mission culture in day-to-day school interactions. Instructors and students discuss the rules in class. Students hold each other accountable. Therefore definitions go beyond the business of creating an efficient learning environment. They also focus on core values necessary to teach and influence young minds.

Site supervisors build positive relationships and promote open communication among all students and the acquisition of Soft Skills is an essential element in creating a healthy organization culture. These involve prioritizing building strong relationships with students, staff, parents, and the wider community by fostering trust, active listening, and empathy, leaders establish a climate of respect and collaboration.

The Director and designee maintains regular communication channels with the community through newsletters, parent-program, and student-lead conferences at different locations that facilitate the understanding and celebration of diversity by valuing and respecting different cultures, backgrounds, and perspectives.

Integrating culturally responsive teaching practices, providing diverse learning materials, and celebrating cultural events and traditions help create a sense of belonging and foster mutual respect among students and staff (Notman & Henry, 2011).

Student Voice and Engagement

Mentors and instructors involve students in decision-making processes and provide direct opportunities for their input that fosters a positive school culture. The platforms for student voice, such as Prevention, Education, Enrichment, Risk-reduction Hour (PEER Hour), empower students to take ownership of their learning experiences and actively contribute to the program community and enhances their sense of belonging and engagement (St-Amand et al., 2017).

8. PREVENTION

Bullying Prevention Programming



JKI expects students to conduct themselves as appropriate for their levels of development, maturity, with dignity, respect for the rights and welfare of other students and staff, and the educational and enrichment purpose of program activities.

JKI offers Socioemotional Learning and Life Skills for students to acquire with the concept, knowledge, skills, attitude, and to take actions that develop healthy relationships while creating healthy boundaries.

The organization-wide Positive Behavioral Intervention Supports include:

- Locally-meaningful and culturally-relevant **outcomes**.
- Empirically-supported **practices**.
- **Systems** to support implementation.
- **Data** to monitor effective and equitable implementation and to guide decision making.



Be Someone's Hero: Center for Disease Control and Prevention.

Click on the image to play the video.

Organization-Wide Programs

JKI maintains a healthy, positive, safe and nurturing learning environments for learning with regards to anti-bullying or harassment as a collective and concerted efforts of all stakeholders in its small learning community - from instructors, administrators, support staff, mentors parents/legal guardians, to students.

In addition to professional development for staff, the Director or designee coordinates interactive education against bullying and harassment. The instructions include evidence-based methods of preventing bullying and harassment, as well as how to effectively identify and respond to bullying or harassment.

Below are some examples resources on bullying prevention:

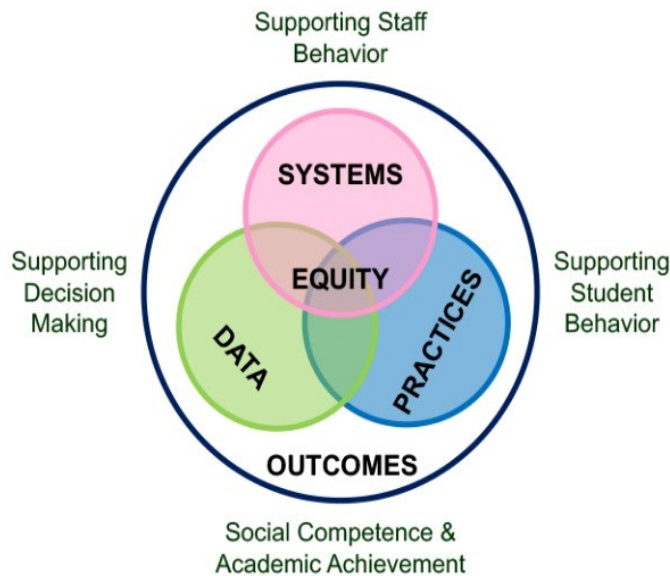
- Olweus Bullying Prevention Program (OBPP).
- PBS/PBIS (Positive Behavior Support)/Positive Behavioral Interventions & Supports.
- Monique Burr Foundations for Children, Inc.'s Child Safety Matters.
- Second Step.
- Aggressors, Victims, and Bystanders (AVB).
- Project Wisdom.
- i-Safe.
- Common Sense K-12 Digital Citizenship.
- Creating a Safe and Respectful Environment in Our Nation's Classrooms (for teachers).
- Creating a Safe and Respectful Environment on Our Nation's School Busses (for bus drivers).
- Character Counts
- Values Matter.

9. INTERVENTION

Behavioral Support



The Director or designee coordinates and implements a comprehensive positive behavior support system that entails setting clear expectations for behavior, teaching and reinforcing positive behaviors, and addressing challenging behaviors through initiative-taking strategies. These strategies are explicitly accepted and modeled by stakeholders in promoting a positive organization culture that prevents bullying.



The Director or designee sensitizes referral procedures when they part of bullying or harassment interventions or disciplinary actions. They include:

- ✓ A process by which the instructor, mentor, or parent/legal guardian may request informal consultation with program staff to determine the severity of concern and appropriate steps to address the concern (the involved students' parents or legal guardian may be included).
- ✓ A referral process to provide professional assistance or services that include personnel or parent/legal guardian in referring a student for consideration of appropriate services.
- ✓ Family engagements in implementing joint strategies for corrective actions.

A program-based component may address intervention and assistance as determined appropriate by the intervention team that includes:

- ✓ Resource support to address the needs of the victims of bullying or harassment.
- ✓ Research-based counseling/interventions to address the behavior of the students who bully and harass others (e.g., empathy training, anger management).
- ✓ Research-based interventions, which include assistance and support provided to parents or legal guardians, if mutually accepted.

10. PROFESSIONAL DEVELOPMENT AND TRAINING

Staff Training

JKI provides bullying prevention training to all its employees on an annual basis using the Office of Human Rights (OHR) training material for a three (3) hour session. Staff, including new staff, receive at least thirty (30) minutes of training in general bullying prevention training for staff with no direct contact with youth. This training covers the general procedures for responding to a report of bullying and contact information for the designated Point of Contact.

JKI also provides bullying training based on Bullying Prevention Training Module Presentation, which is research-based⁵ to train staff on bullying prevention strategies.

⁵ [Bullying Prevention Training Center | StopBullying.gov](https://www.stopbullying.gov/training/)

The topics cover Learning Objectives. Bullying Defined, The Many Forms of Bullying, Ten Key Findings About Bullying, Misdirection in Bullying Prevention and Response; Best Practices in Bullying Prevention and Response.

The Director or designee is responsible for maintaining and providing written documentation of the training provided, including the date, time and summary of the content of annual training, along with the names and biographical information of the trainer by August 15 of each year to OHR or as requested by DC agencies.

11. REPORTING INCIDENCE OF BULLYING

Bully Report Form

Jah Kente International ®, Inc.

Bullying Reporting Form.

Bullying is a serious issue and will not be tolerated. Use this form to report bullying that occurred on program property; at a program-sponsored activity or event off program property; on a program transportation; on the way to and/or from school; on social media or through text message, during the current program year or summer program.

If you are a student or a friend or parent of a student who is getting bullied and wish to report an incident of bullying, please complete this form and return it to the Director or the Director's designee or the program office.

Reporter Contact Information Reports can be made anonymously.

(Please note: Disciplinary decisions cannot be made solely on anonymous reports. The report may be used as a basis for an investigation that provides additional information needed to undertake disciplinary or corrective action.)

Name (optional): _____

Date: _____

You are the:

a. Victim of this behavior:

b. Witness to an incident:

I am a (choose one):

Student Parent/Guardian Staff Member Other

Phone number (optional): _____

Email address (optional): _____

Incident Information

Student Who Was Allegedly Harmed:

Student(s) Who Did Alleged Harm:

Date and time of incident:

Location of the Incident

Please check all that apply to this incident:

Classroom

Hallway

Playground

Cafeteria

Bathroom

Gymnasium

On the Way to Program Activity

Other campus location (please specify):

Nature of Bullying Being Reported (check all that apply):

Physical: Acts such as hitting, spitting, kicking, or damaging your or another student's possessions.	Emotional: Spreading mean rumors or lies about someone.	Verbal Saying mean or hurtful things, taunting, or threatening you, your child, or another student.
Cyber/Online: Incidents occurred on website or social media, by cell phone, email or text message.	Social: Excluding you, your child, or a student from a group, telling peers not to talk to you or another student	Other: (Please describe)

Did the bullying include mean comments about you or other students? Circle all that apply:

- Physical Appearance
- Gender or Gender Expression
- Academic Performance
- Learning difficulties
- Religious or Cultural Belief
- Race/Ethnicity/Nationality or Perceived Race/Ethnicity/Nationality
- Sexual Orientation or Perceived Sexual Orientation
- Socioeconomic background
- Place of residence

Context

Please give any other details about the incident that you feel are important. Attach additional pages if necessary (Please include your name and date on each page).

Did you witness the event? _____ Yes _____ No

Witnesses (Please list people who have information about the incident):

Name: _____ Student: __ Staff: __ Other, specify:

Name: _____ Student: __ Staff: __ Other, specify:

Name: _____ Student: __ Staff: __ Other, specify:

I am submitting this form in good faith based on my belief that [enter name of the other student here] bullied me, my child, or another person. I am reporting this because I am concerned and I want the situation to be addressed to improve to foster a safe learning environment.

Signature: _____

Reviewed by: _____

Date: _____

12. INVESTIGATING INCIDENCE OF BULLYING

Period of Investigation

The Director or designee, as the Point of Contact, shall promptly initiate an investigation into each report of incidence of bullying, retaliation, or other violation of the bullying prevention policy within one (1) business days of receiving the complaint and complete the investigation within thirty (30) days of receiving the complaint.

If the bullying, retaliation, or other acts in violation of the bullying prevention policy involve multiple covered entities, the entities shall coordinate their investigation and response activities.

Determination of Bullying

The Director or designee is entrusted with the duty to 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.

The Director or designee shall ensure that the reported incident is a case of victimization, a violation of the bullying policy or sign of bullying, rather than a quarrel or conflict. If the victim reports few or no resources 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.

Safety of Alleged Victim

Before the investigation of an incident, the Director or designee will take measures 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 the student from further incidents, if necessary.

The alleged victim may choose a "safe" person to assist in devising protective arrangements to minimize contact or interaction between the alleged victim and bully, such as changing seats in group activities, changing team members in cohort tasks or collaborative work if they belonged in the team.

Notification

The Director or designee shall promptly report via telephone, personal conference, or in writing, the occurrence of any incident of bullying or harassment as defined by this policy to the parent or legal guardian of all students involved on the same day an investigation of the incident(s) was initiated. Notification must be consistent with the student privacy rights under the applicable provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA) and state privacy laws.

Parents and guardians:

The Director or designee shall notify the parents or guardians of the alleged victim if the student is less than eighteen (18) years of age and if the contact information for the parents or guardians is available or can be requested. If the Point of Contact determines that informing the parents or guardians may cause harm to, or endanger the health or well-being of the target, the Point of Contact shall document facts giving rise to such determination, and document the decision not to inform in writing.

The Director or designee shall notify the parents or guardians of the alleged perpetrator about the alleged incident and any planned investigation if the alleged perpetrator is less than eighteen (18) years of age. If the Point of Contact determines that informing the parents or guardians may cause harm to, or endanger the health or well-being of, alleged perpetrator, the Point of Contact shall document facts giving rise to such determination, and document the decision not to inform in writing.

Law enforcement agencies: If the Point of Contact 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, law enforcement shall be contacted if all other available remedies have been exhausted.

The Point of Contact 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.

The requirement to send the written report to the parents or guardians shall not apply when the contact information for parents or guardians is not available after making good-faith attempt to obtain such information.

The Point of Contact shall:

- Draft a written record of the complaint, which must be included in the final report.
- Take appropriate action to protect, to the extent possible, the safety of the alleged target referenced in the report, which may include contacting relevant parties, protecting the target while ascertaining the presence of staff as the program site to ensure compliance.
- Make a good-faith effort to inform the parents or guardians of the target about the alleged incident and any planned investigation, if the target is less than eighteen (18) years of age and if the contact information for the parents or guardians is available or can be requested. If the Point of Contact determines that informing the parents or guardians may cause harm to, or endanger the health or well-being of the target, the Point of Contact shall document facts giving rise to such determination, and document the decision not to inform in writing.
- Make a good-faith effort to inform the parents or guardians of the alleged perpetrator about the alleged incident and any planned investigation, if the alleged perpetrator is less than eighteen (18) years of age. If the Point of Contact determines that informing the parents or guardians may cause harm to, or endanger the health or well-being of, alleged perpetrator, the Point of Contact shall document facts giving rise to such determination, and document the decision not to inform in writing.
- Interview any involved or relevant parties including alleged victims, bullies, witnesses, staff, parents or guardians.
- Consider whether the individuals involved have disabilities and whether the behavior is a manifestation of the disability. Where available, consider whether the individuals have legally mandated protections

including an Individualized Education Programs (IEP). Notification must be consistent with the student privacy rights under the applicable provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA).

The United States Department of Education through its Office for Civil Rights (OCR) has provided helpful information that covered entities are to follow concerning students with disabilities and bullying. One such resource is available through OCR's 2014 Dear Colleague Letter at

<http://www.ed.gov/ocr/docs/disabharassltr.html>.

- Determine whether a particular action or incident constitutes a violation of Bully Prevention based on all the facts and surrounding circumstances and includes remedial steps necessary to stop bullying or harassing behavior.
- Issue a written report on the findings and recommendations within thirty (30) days after receiving a report of bullying, retaliation, or other violation of the bullying prevention policy, which shall include the following:
 - A description of the incident(s) shall include the names of individuals involved and behaviors alleged, location of occurrence(s) and whether bullying occurred under the definitions set forth in the Bully Prevention Policy.
 - Whether the incident was based on a trait that is covered in the Human Rights Act (as listed in the definition of bullying) and
 - The actions that were taken based on the findings.

The written report shall be provided to the target, parent or guardian of the target if the target is under eighteen (18) years of age, the alleged perpetrator, and the parents or guardians of the alleged perpetrator if the alleged perpetrator is under eighteen (18) years of age.

The requirement to send the written report to the parents or guardians shall not apply if the contact information for parents or guardians is not available after making good-faith attempt to obtain such information, or if the Point of Contact determines that sending the report may cause harm to, or endanger the health or well-being of, the target or alleged

perpetrator, as the case may be, but the reasons for the determination not to send the report must be documented in writing.

Confidentiality

The Point of Contact shall provide confidentiality, if necessary and possible, to individuals interviewed as part of the investigation, including the victim, and inform them that retaliation for reporting acts of bullying is prohibited.

However, if the Point of Contact learns during the investigation that the reported incident involves criminal activity, the Point of Contact shall communicate such information to the Chairperson of the Human Resource Committee and Board Liaison.

If the reported incident or statement during the investigation indicates 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.

Written records of the investigation process are maintained and may be included in the prevention database to generate a more accurate picture of Bullying behaviors. Where necessary, the Director or designee will include the advice of legal counsel.

SOURCE:

Final Rulemaking published at 63 DCR 9390 (July 8, 2016).

DCPS District-Wide Bully Prevention Policy 2013.

13. CONSEQUENCES AND PROGRESSIVE DISCIPLINE

Purpose

The purpose of a disciplinary action is to develop a desire for self-discipline, not to exert power and control. Consequences and appropriate remedial action for a student found to have intentionally committed acts of bullying or harassment range from positive behavioral interventions up to, and including, suspension or expulsion.

Personnel will use disciplinary actions to assist student in adopting positive behaviors and to protect the safety of members of the school community. Therefore, disciplinary

options will serve as deterrent and intervention strategies are designed to bring about reflection by students to recognize the impact of their actions.

Disciplinary actions are age and grade sensitive. Corrective activities will focus on INTERNAL MOTIVATION. This means students will want to do the right thing for the right reasons, not because the parents or the teachers desire them to, *but because they want to - having experienced the positive consequences and benefits.*

Consequences and appropriate remedial action for a school employee found to have wrongfully and intentionally accused another as a means of bullying or harassment may be disciplined in accordance with district policies, procedures, and agreements.

Consequences and appropriate remedial action for a visitor or volunteer, found to have wrongfully and intentionally accused another as a means of bullying or harassment, shall be determined by the school administrator after consideration of the nature and circumstances of the act, including reports to appropriate law enforcement officials.

Compliance with YBPA

Consistent with Title 4, HUMAN RIGHTS AND RELATIONS, of the DCMR is amended Chapter 15, YOUTH BULLYING PREVENTION -1502.3 The consequences that can result from an identified incident of bullying are designed to:

- (1) Appropriately correct the behavior deemed to be bullying.
- (2) Prevent future occurrences of 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 in application, appropriate to the individual incident, and varied in method and severity based on the:
 - (A) Nature of the incident.
 - (B) Developmental age of the person exhibiting bullying behaviors; and
 - (C) Any history of problem behavior of all students involved in the incident(s) and where available, history of behavioral concerns documented in an Individualized Education Program (IEP) or 504 plan as a result of a disability under the Individuals with Disabilities Education Act (IDEA), approved Dec. 3, 2004 (118 Stat. 2647; 20 U.S.C. § 1400 *et seq.*) or Section 504 of the 1973 Rehabilitation Act, approved Sept. 26, 1973 (87 Stat. 394; 29 U.S.C. § 794

If a student's conduct is a manifestation of his/her disability, disciplinary actions will not

Disciplinary Levels and Program Initiated Consequences

Level I Conference:

The Point of Contact designee shall conduct a conference among any combination of the following:

- ✓ Instructor/Student
- ✓ Instructor /Parent
- ✓ Instructor /Student/Parent/
- ✓ Teacher/Student/Counselor/Parent
- ✓ Telephone Conference with Parent
- ✓ Telephone Conference with Instructor/Parent/ Student
- ✓ Other parties as deemed necessary

Level 2 Intervention:

All Interventions would be age appropriate and behavior specific. **(Sample list of Interventions)**

Referral	To Counselor, Student Assistance Team, Site Supervisor
Time-Out	The temporary suspension from a period of activity.
Staffing	A meeting of personnel and parents to consider the behavior of the student and make recommendations.
Contract	A written statement that lists steps to be taken to improve behavior. The statement will describe the support to be provided by staff and/or parent/guardian as well as the date the contract will be reviewed, which must be signed by the parent/guardian or student who is 18 years of age or above.
Restricted Activity	The suspension of participation in activities or events or the use of common areas or other parts of the facility.
Intervention	Social services and site-based counseling. Individualized Behavior Contract; Referral to Psychologist; Referral to School Review for Possible 504 Plan additional modifications; Written Disciplinary Assignments; Involvement of Outside Agency (Initiated by parent)
Supervision	Mentoring.
Probation	A write-up for the discipline offense with a defined period of good behavior to prevent suspension.

Mediation Referral Recommendation for conflict mediation.

Level 3 **Suspension (1-5 days):**
Suspension from activities

Level 4 **Suspension (6-10 days):**
Suspension from activities

Level 5 **Suspension of 10 days (with re-entry contract):**
Suspension from activities

Level 6: **Expulsion.**

Conference

The purpose of a conference is for the parent, student, and the program staff to develop a positive behavioral plan, which will include terms of intervention strategies to help the student make an effective transition from the at-risk behavior. This conference must happen prior to removal of the student from program activities unless the student presents a continuing danger or ongoing threat of disruption to the program.

Staff, parents, advisors, mentors and the student will work toward successful implementation of the intervention plan of action that targets inappropriate behavior through demonstrative and corrective activities.

Suspension

Grounds for suspension will involve serious and repeated violations of the Bully Prevention Policy. The goal of suspension as a disciplinary measure is to provide a balanced schedule of reflection and behavior modification. Parental cooperation will be key and instrumental in addressing issues, creating a home-program collaboration, reaching understandings, and involving the student in setting positive, personal goals.

Suspension process

- The student and parents will be given the provisions outlined in the *Due Process Requirement*

- The Point of Contact will discuss the specific violation with the student and parent(s) to ensure all parties understand the circumstances of the violation. charges.
- A conference will be held within 3 weekdays days after the findings with parent(s) and student, if feasible.

Expulsion

A student is eligible for violations felonious or aggravated thefts, rape, sexual imposition or repeated suspensions. A student may be removed from the facility during investigations when the student's behavior presents "a clear and present danger" of injury to her/himself or others or if she disrupts "the orderly operation of the school. Law enforcement officials will be notified and the organization will work collaboratively with law enforcement officials in their investigations.

Expulsion process

- The student and parents will be given the provisions outlined in the *Due Process Requirement*.
- The Point of Contact will discuss the bullying violation and findings from the investigations with the student and parent(s) to ensure all parties understand the circumstances of the charges, the implications on the health and safety of the members of the learning community, program family, which warrant a dismissal hearing.
- The student and/or representatives will be given an opportunity to present the student's account, which can be substantiated by any evidence deemed necessary. Student, parent or representative can question the appropriateness of dismissal.

14. PROTECTION AGAINST RETALIATION

The Director or designee will take appropriate steps to protect students or non-students, from retaliation when they report, file a complaint of, an incident, subjects of a complaint, or cooperating in an investigation concerning a violation of the Bullying Prevention Policy.

Any person who promptly and in good faith reports an incident of, or information on, bullying in compliance with this policy shall be immune from a cause of action for damages arising from the report. Threats or acts of retaliation, including by electronic means, or

through third parties, are serious offenses that will subject the violator to disciplinary and other corrective action, which could suspension, exclusion or expulsion.

15. **FORMAL COMPLAINTS AND APPEAL**

Procedure

Parties wishing to submit a formal complaint related to bullying or harassment, or wishing to appeal a determination made by JKI regarding a bullying or harassment incident because they are not satisfied with the outcome investigation, may do so according to the Grievance Procedures.

Parties of the accused dissatisfied with the outcome of a disciplinary action stemming from an allegation of bullying or harassment may appeal the decision.

No individual shall be discriminated against, or otherwise subjected to retaliation, based on an individual's filing or an individual's participation in a grievance process.

The Director or designee will make efforts to investigate related matters jointly to avoid duplication of efforts for the parties and the agency.

There are both formal and informal ways to initiate complaints. Individuals are encouraged to first use the informal option of working with the Point of Contact before bringing formal complaints.

A complaint may include, but is not limited to, allegations regarding:

- (a) The adequacy of an investigation of bullying, retaliation, or another violation of a bullying prevention policy.
- (b) The failure to initiate an investigation or an unreasonable delay in the processing of a report of bullying, retaliation, or another violation of a bullying prevention policy; or
- (c) Any other failures to follow the requirements of the Districts YBPP.

An individual, who is eighteen (18) years or older, or who is younger but acting through a parent or advocate, may follow these procedures or the procedures:

- a) Make an informal complaint to the Point of Contact or staff in charge of the program or activity.

If the grievant makes a complaint to a staff member other than the Director or designee, the person shall inform the Director or designee, or the official in charge of the program activity of the nature of the complaint.

If the Point of Contact is the subject of the complaint or otherwise involved in the circumstances surrounding the complaint, the grievant shall make an informal complaint to the Chairperson of the Human Resource Committee and Board Liaison with authority over the Point of Contact.

- b) The person who receives the informal grievance shall investigate and attempt to resolve the problem through informal means, including but not limited to, subject meetings and subject conferences. The person shall also make written documentation of all steps taken to investigate the matter.
- c) A resolution in the informal process shall be proposed, or a decision issued, by the Point of Contact or Chairperson of Human Resource Committee and Board Liaison to the grievant within ten (10) weekdays (excluding official holidays) of the day that the grievant made the informal complaint. A full set of corrective actions must be agreed upon by all parties.

A grievant who is dissatisfied with the outcome of, or chooses not to use, the informal process, may file a written grievance with the Point of Contact or Chairperson of the Human Resource Committee and Board Liaison.

Written grievances must be filed within forty--five (45) calendar days of the incident or circumstance being grieved or ten (10) calendar days of the completion of the informal process, if any, whichever is longer. The time limits for submission shall be tolled in instances where the grievant did not comprehend or was not aware of the harassment.

All formal complaints should include the following information, to the extent that is known by the grievant:

- The name, grade, and program activity attended by the student.
 - The date, approximate time, and location of the incident.
 - The type of bullying or harassment that was involved in the incident.
 - The identity of the person(s) who committed the alleged acts of harassment.
 - If the alleged harassment was directed towards other person(s), the identities of such persons.
 - Whether any witnesses were present, and their identities.
 - A specific factual description of the incident, including any verbal statements or physical contact.
- d) The Point of Contact or other school official shall attempt to resolve the written grievance by beginning a formal investigation, including but not limited to conducting conferences with the grievant(s), students, parents, teachers, other

program officials, and other involved parties and, when applicable, consultation with the organization's corporate counsel, the student's special education coordinator.

The investigation shall include the examination of any information submitted by the grievant and interviews with any witnesses identified by the grievant. The appropriate Board representative shall be informed of the written grievance and investigation and may be consulted by attempt to resolve the grievance.

- e) The Point of Contact or other officials who investigates a written grievance shall provide a written response to the grievant. The appropriate personnel shall investigate the complaint to determine if there was a violation of the Bully Prevention Policy with a target completion date for the Determination within ten (10) weekdays (excluding official holiday) after a complaint is filed. The parties would be notified if the investigation takes longer, including the reasons for the delay and the anticipated time limit.
- f) If the grievant is not satisfied with the response of the Point of Contact, the grievant may file an appeal with the Chairperson of the Human Resource Committee and Board Liaison with authority over the Director.

The Chairperson of the Human Resource Committee and Board Liaison or other designee shall attempt to resolve the grievance by reviewing the investigation and findings, and conducting further investigation of the grievance, including meeting with all involved parties and consulting with legal counsel as appropriate. The written response shall be provided within ten (10) workdays (excluding holiday) of receipt of the appeal.

- g) If the grievant is not satisfied with the response or other designee is unable to achieve an adequate resolution, either the grievant or the Chairperson of the Human Resource Committee and Board Liaison or other designee may, within ten (10) workdays (excluding official holiday) of the written response, may request that the grievance be brought before a grievance review panel to ensure appropriate and fair resolution of the grievance.

The Grievance Review Panel (Panel) shall be made up of at least three (3) persons appointed by the Chairperson of the Board of Human Resource. The members shall be disinterested persons with training and knowledge of Bully Prevention, and knowledge of the issues raised by the grievant. JKI may seek the advice of the Corporate Counsel.

In all cases brought before the Panel, the Panel shall provide the Chairperson of the Human Resource Committee and Board Liaison, the Director and other designees written findings and recommendations for suggested implementations.

The findings and recommendations shall be issued within ten (10) work days.

Within five (5) workdays of receipt of the findings and recommendations, the Chairperson of the Human Resource Committee and Board Liaison or designee shall issue a final administrative report.

- h) A grievant may also file a complaint directly with the U.S. Department of Education, Office of Civil Rights without utilizing, or following the completion of, the procedures in this Bully Prevention Policy.

See <http://www.ed.gov/ocr/complaintprocess.html> or call (202) 453--6020 for further information.

- i) A grievant may also file a complaint directly with the District of Columbia Commission on Human Rights without utilizing the procedures contained in Bully Prevention Policy. See <http://www.o hr.dc.gov> or call (202) 727--4559 for further information.

SOURCES:

Final Rulemaking published at 63 DCR 9390 (July 8, 2016).

DCPS District-Wide Bully Prevention Policy 2013.