| | | | | |
|---|---|---|---|---|
| | **Town of Chapel Hill, NC**<br><br>**Youth Bullying Prevention Policy** | **Policy Number:**<br>**5-5**<br><br>**Issue Date:**<br><br>**June 15, 2020** | I. POLICY<br>II. PURPOSE<br>III. PROCEDURE<br>IV. FORMS/INSTRUCTIONS<br>V. ADDITIONAL CONTACTS<br>VI. DEFINITIONS<br>VII. RESPONSIBILITIES<br>VIII. APPENDICES<br>IX. FAQ<br>X. SCOPE<br>XI. RELATED INFORMATION<br>XII. POLICY HISTORY | **Approved By:**<br><br>**Maurice Jones,**<br>**Town Manager** |

# Youth Bullying Prevention Policy

## I. POLICY

The Town of Chapel Hill provides a safe, orderly, caring, and inviting environment for youth to facilitate learning and achievement. This policy prohibits bullying, harassment, and intimidation in all youth-serving Town services, activities, programs, and facilities; including those offered by partners who receive Town funding.

## II. PURPOSE

In accordance with the Town values of Responsibility, Equity, Safety, and Ethics, the purpose of this policy is to protect the dignity and safety of youth served by the Town.

The Human Resources Director is authorized to issue Procedures consistent with this policy.

RESPECT

**Safety:** We strive to maintain our own mental and physical well-being and the well-being of those around us. We are dedicated to a work environment that minimizes risk of injury or accident. We are also dedicated to an environment that provides for honest and courteous discussion of workplace issues without fear of repercussion.

III. PROCEDURES

**These procedures are issued by the Director of Human Resource Development. These procedures may be periodically updated.**

These Procedures apply to all regular full- and part-time employees, program support or temporary employees, volunteers, and Town partners who receive funding from the Town for Youth-focused programs.

The Procedures also apply to youth program participants.

A. <u>The Town prohibits:</u>
   1. Acts of bullying, including cyberbullying, by youth, volunteers, or staff, in all youth-serving Town services, activities, programs, and facilities;
   2. Retaliation against a youth, volunteer, or staff member who reports bullying, provides information about an act of bullying, or witnesses an act of bullying;

B. <u>Expectations for Town Employees</u>
   1. Town Employees are expected to:
      a. Know and understand what behaviors constitute bullying
      b. Intervene in instances of bullying
      c. Promptly report allegations of bullying
      d. Cooperate with investigations of bullying
      e. Ask questions about anything they do not understand

   2. Supervisors and managers are expected to:
      a. Provide ongoing guidance about what constitutes bullying behavior
      b. intervene in instances of bullying
      c. Promptly report any allegations of bullying to their Department Head and HRD

3. Department Heads are expected to:
    a. Assure that allegations of bullying are promptly investigated
    b. Assure that employees receive ongoing training and information about youth bullying prevention

4. Human Resource Development staff members are expected to:
    a. Assure that allegations of youth bullying are thoroughly and promptly investigated.
    b. Protect the confidentiality of all employees and participating youth to the extent possible
    c. Develop education and other strategies to prevent youth bullying and assist departments in this process.

C. Reporting and Investigating an Incident

If you believe you have been discriminated against, harassed or bullied by a Town employee or contractor, someone in a Town program or another participant or spectator, or any other person under the Town's supervision, you should inform a Town Employee, such as a supervisor, your Human Resources Partner or the Town Omsbud.

If you suspect someone has bullied another person who is part of a Town program or a Town-funded program, you should inform a Town Employee, such as a supervisor, your Human Resources Partner or the Town Omsbud.

Town employees who observe an incident of harassment or bullying should intervene to stop the conduct when they have supervisory control over the perpetrator and it is safe to do so.

Any employee who witnessed bullying, or who has reliable information that another person may have been subjected to discrimination, harassment, or bullying has a duty to report that information to the Town's Human Resources Department.

Failure to report an incident or providing false information about an incident is a violation of our Town value of Ethics and is considered "detrimental personal conduct" under the Town's Disciplinary Policy, PP 5-3, and may result in disciplinary action, up to and including termination.

Reports, except mandatory employee reports, may be made anonymously, and all reports will be investigated.

D. Responding to an Incident

The Town will investigate allegations of bullying. Human Resource Development (HRD) staff or the appropriate departmental staff will lead the investigation. HRD staff also guide Departments on administrative and disciplinary procedures. The Town response is outlined below:

1 Town Employees

Disciplinary Action may be taken after an investigation is complete in accordance with the Town's disciplinary policies and procedures. Disciplinary Policy, PP 5-3. Violations may also be reported to law enforcement, as appropriate.

2. Volunteers and Visitors

Volunteers and visitors who violate this policy will be directed to leave Town property and/or reported to law enforcement, as appropriate. A third party under the supervision and control of the Town will be subject to termination of contracts/agreements, restricted from Town property, and/or subject to other consequences, as appropriate.

3. Program Participants

Program participants and spectators who have been confirmed to have participated in bullying will be suspended or removed from the program, according to the program's code of conduct or guidelines.

After evaluating an incident, the Town may determine, based on the nature and severity of the misconduct, that a broader response is necessary. For example, the Town may provide additional staff training or develop targeted harassment and bullying prevention programs. These or other responses should focus on ending the hostile behavior, eliminating a hostile environment addressing the effects of the incident, and preventing recurrence of the hostile behavior.

E. Retaliation

The Town prohibits reprisal or retaliation against any person for:

1. reporting or intending to report violations of this policy,
2. supporting someone for reporting or intending to report a violation of this policy, or
3. participating in the investigation of reported violations of this policy. After consideration of the nature and circumstances of the reprisal or retaliation and in accordance with applicable federal, state, or local laws, policies, and regulations, the Town shall determine the consequences and remedial action for a person found to have engaged in reprisal or retaliation.

F. Training

The Town provides training to prevent discrimination, harassment, and bullying and to foster an environment of understanding and respect for all members of the community. Information about this policy and the complaint procedure are included in the training.

The Town provides focused training and resources for employees and volunteers who have significant contact with young people. The training:

1. provides examples of behavior that constitutes discrimination, harassment, or bullying;
2. teaches employees to identify individuals or groups that may be the target of discrimination, harassment, or bullying; and
3. trains Town employees to be alert to likely locations for bullying, including Town buildings, at Town parks, on cell phones, and on the Internet.

Training should also include information related to the potential consequences of bullying, for both the victim and offender.

G. How to Report

Youth in any Town program can report bullying to any Town Employee, such as a camp counselor, librarian, parks and recreation staff member, etc.

Employees must report incidents to their supervisor, department or Human Resources Department immediately, with a phone call and appropriate documentation.

Anonymous reports may be made by contacting the Town's Human Resources Department or the Town Ombuds.

Human Resource Development: 919-968-2700 or mailto:HR@townofchapelhill.org

Ombuds office: 919-265-0806 or Ombuds@townofchapelhill.org

## IV. FORMS/INSTRUCTIONS

The Town maintains confidential records of complaints or reports of discrimination, harassment, or bullying. These records must identify the names of all individuals accused of such offenses and the resolution of such complaints or reports. The Town also shall maintain records of training conducted and corrective action(s) or other steps taken by the Town to provide an environment free of discrimination, harassment, and bullying.

The Town will take all appropriate measures to maintain the confidentiality of youth who report bullying by other youth since such reports could potentially have negative consequences for the reporting youth.

V. ADDITIONAL CONTACTS

Employee Assistance Program: 1-800-326-3864

IV. DEFINITIONS

**Bullying -** Bullying behavior is defined as any severe, pervasive, or persistent act or conduct whether physical, electronic, or verbal that may be based on a youth's actual or perceived race, color, ethnicity, religion, national origin, sex, age, personal appearance, sexual orientation, gender identity or expression, intellectual ability, familial status, family responsibilities, matriculation, political affiliation, genetic information, disability, source of income, or any other distinguishing characteristic, or on a youth's association with a person or group with any of the actual or perceived foregoing characteristics; and 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, programs, facilities, or privileges provided by an agency or contractor or agent thereof.

**Cyber-Bullying** – Any words, actions, or conduct that meet the definition of bullying behavior and are conveyed via e-mail, text message, internet message boards, interactions on social media, or other electronic means.

**Harassment** is defined in the Town's Anti-Harassment Policy PP5. [LINK]

**Youth –** For the purposes of these Procedures, a Youth is anyone eighteen years old or younger.

V. APPENDICES

VI. FREQUENTLY ASKED QUESTIONS

VII. RELATED INFORMATION

Town Harassment Policy

## VIII. POLICY HISTORY

This policy replaces and supersedes any previous Town policies, departmental policies, handbooks, or unwritten policies or practices covering the same subject. Departmental policies in compliance with this policy are referenced in Section XI Related Information. In the event of any disparity between this policy and the Town's Code of Ordinances and/or applicable local, state, or federal laws, the Town's Ordinance and/or applicable laws shall prevail.