



ANTI-BULLYING AND SEXUAL HARASSMENT POLICY

OBJECTIVES AND PURPOSE

In the creation and support of school climates that are safe places to learn, there is an evolving recognition that bullying is a very toxic form of abuse among peers. Students who are bullied and those who instigate bullying are at significant risk of experiencing a range of health, safety, and educational risks. At E.L. Haynes, we will do everything possible to create and preserve a safe school climate for all students through proactive anti-bullying education, immediate enforcement to stop bullying behaviors along with well-defined and effective consequences for violations.

DEFINITIONS AND EXAMPLES

E.L. Haynes 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 intra-family 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.
3. Some examples of bullying are:
 - A. Pushing, hitting, kicking or throwing things at someone.
 - B. Stealing or damaging another person's property.
 - C. Name calling or teasing, in person or online.
 - D. Threatening to hurt someone, in person or online.
 - E. Leaving someone out on purpose and without good reason.
 - F. Spreading rumors about someone, in person or online.

E.L. Haynes defines sexual harassment as unwelcome conduct of a sexual nature. Sexual harassment can include unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Sexual harassment includes sexual violence, which E.L. Haynes defines as physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent. Sexual harassment can be carried out by school employees, other students, or third parties. This policy applies to sexual harassment by other students. Complaints about sexual harassment by school employees or third parties should be made pursuant to E.L. Haynes' Grievance Procedures, which can be found in the Family Handbook.

PROHIBITION AGAINST BULLYING AND SEXUAL HARASSMENT

Acts of bullying, including cyberbullying, and sexual harassment whether by youth, volunteers or staff, are prohibited:

1. On E.L. Haynes grounds and immediately adjacent property, at E.L. Haynes -sponsored or related events on and off E.L. Haynes grounds, on any vehicle used for E.L. Haynes business, at any transit stop at which youth wait to be transported to E.L. Haynes business, or through the use of any electronic devices owned by the E.L. Haynes, leased by the E.L. Haynes or used for E.L. Haynes business; and
2. At a location unrelated to the E.L. Haynes, through the use of any electronic devices, including those not owned or leased by the E.L. Haynes, if the acts of bullying or cyberbullying create a hostile environment at



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the school for the victim or witnesses, infringe on their rights at E.L. Haynes, or substantially disrupt the orderly operation of the school.

Retaliation against a youth, volunteer or staff member who reports bullying/sexual harassment, provides information about an act of bullying/sexual harassment, or witnesses an act of bullying/sexual harassment is also prohibited.

PUBLICATION AND CONTACT INFORMATION

This policy and a list of anti-bullying/sexual harassment resources will be made available on E.L. Haynes website. The policy will be available to youth and parents of

youth in contact with E.L. Haynes at any time upon request, and E.L. Haynes will emphasize that the policy applies to participation in functions sponsored by E.L. Haynes.

The **Director of Student Wellness** is responsible for coordinating E.L. Haynes bullying/sexual harassment prevention efforts. All questions, comments and concerns about the bullying/sexual harassment policy and E.L. Haynes prevention efforts should be able to be directed to the Director of Student Wellness at (202) 667-4446.

EXPECTED CONDUCT

E. L. Haynes expects youth to behave in a way that supports E.L. Haynes' objective to provide a safe and welcoming environment for other youth, E.L. Haynes staff, and community members. Youth who are part of the E.L. Haynes community are expected to Be Kind, Work Hard, and Get Smart. The more detailed code of conduct and expectations for behavior can be found in the Student Handbook on our website.

TRAINING

E.L. Haynes will provide to all personnel whose duties consistently bring them into contact with youth by design or incident, training on E.L. Haynes' prevention curriculum, as well as the procedures for responding to and reporting an incident of bullying/sexual harassment. Staff will also learn to engage with each other and youth reflectively to build an agency-wide atmosphere of respect. This training will be provided regularly to E.L. Haynes staff by the opening of each academic school year, and continued through anti-bullying lessons during advisory.

REPORTING INCIDENTS OF BULLYING / SEXUAL HARASSMENT OR RETALIATION (DC Code § 2-1535.03(b)(6))

E.L. Haynes expects all staff members and volunteers to report incidents of bullying/sexual harassment or retaliation they witness or are made aware of. Staff members should immediately record all such incidents in SchoolForce, following procedures for reporting behavior incidents. Any student who believes that they have been bullied/sexually harassed, or who has seen another student being bullied/sexually harassed, should report the problem immediately to a teacher or other adult on campus. Any ELH employee or parent who witnesses a bullying/sexual harassment incident should report it to the campus Principal, social worker, Director of Student Wellness, or any other staff person (contact information is available online at www.elhaynes.org or you may contact either campus via phone). Reports can also be made anonymously through a locked box on each campus or online by emailing a detailed description of the incident to bullyreport@elhaynes.org. No formal response will be taken on an anonymous report alone. Such a report may trigger an investigation that results in disciplinary action.

INVESTIGATING INCIDENTS OF BULLYING / SEXUAL HARASSMENT (DC Code §

If an incident of bullying, harassment or intimidation is reported, the campus Principal or designated staff member will respond quickly and appropriately to investigate and intervene. Complaints or reports of bullying/sexual harassment will be investigated in an adequate, reliable and impartial manner. Each investigation will include, as necessary, interviewing witnesses, obtaining documents and allowing parties to present evidence. All documentation related to the investigation will remain confidential. The staff will take steps to ensure the safety of all parties involved and determine whether the incident was one of bullying/sexual harassment. The staff will also take steps to provide the complainant with periodic updates on the status of the investigation. Once bullying/sexual harassment behavior has been determined, the following groups will be notified as needed by E.L. Haynes, making every effort to protect confidentiality of those who report bullying/sexual harassment:



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- **Parents and guardians:** E.L. Haynes will notify the parents or guardians of victims, instigators, and witnesses as appropriate, about the nature of the incident and the steps in place to respond to it. The Principal will determine if parents or guardians should be informed prior to or after the investigation of the incident.
- **Schools:** E.L. Haynes will notify the schools of all victims and instigators in an incident of bullying/harassment to ensure that youth are not victimized across schools, and that comprehensive service and protection can be provided.
- **Law enforcement agencies:** If E.L. Haynes 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 agencies.

Within thirty (30) days of receiving a report of bullying, the Principal will conduct the investigation and respond to the parents of the students involved in writing, summarizing the course and outcome of the investigation and identifying an appropriate resolution. If it is determined that bullying/sexual harassment has occurred, appropriate corrective and remedial action will be taken. E.L. Haynes will make determinations as to whether a reported incident constitutes bullying/harassment based on all of the facts and circumstances surrounding the

incident. E.L. Haynes will use a preponderance of the evidence standard (i.e., more likely than not that bullying/sexual harassment occurred) when resolving complaints.

Steps will be taken as necessary to protect suspected victims of bullying/sexual harassment during the course of the investigation process. E.L. Haynes will make every effort to protect confidentiality during the course of the investigation. The individual responsible for conducting the investigation will be responsible for making determinations about confidentiality.

SANCTIONS AND REMEDIES FOR BULLYING / SEXUAL HARASSMENT

E.L. Haynes recognizes that for sanctions to be an effective component of a bullying/sexual harassment prevention plan, they must be applied consistently, fairly, and equitably. To this end, E.L. Haynes will ensure that staff follows these guidelines as closely as possible, while allowing for flexibility to adapt sanctions to individual contexts. For violations of the anti-bullying policy, the consequences below will be applied in sequential order and the staff will explicitly state what the consequence will be if bullying/sexual harassment continues. These sanctions and remedies are designed to (a) appropriately correct the bullying/sexual harassment behavior; (b) prevent another occurrence of bullying/sexual harassment or retaliation; (c) protect the target of bullying/sexual harassment; and are flexible and can be varied in method and severity based on: (i) nature of the incident; (ii) developmental age of the person committing the act at issue, and; (iii) any history of problem behavior from the person committing the act at issue. The Principal may apply more than one consequence, or skip a step, depending on the severity and nature of the violation.

FIRST INCIDENT OF BULLYING / SEXUAL HARASSMENT BEHAVIOR:

- Student-Teacher/ELH Staff Member Conference
- Parent Contact by phone
- Formal Student Apology to Bullied/Harassed Student
- Tier 1 Discipline Consequence

SECOND INCIDENT OF BULLYING / SEXUAL HARASSMENT BEHAVIOR:

- Student Conference with Restorative Justice Coordinator and/or Administrator
- Student-Parent Conference with Restorative Justice Coordinator and/or Administrator
- Formal Student Apology to Bullied/Harassed Student
- Behavior Plan/Anti-Bullying/Harassment Contract
- Tier 2 Discipline Consequence

THIRD INCIDENT OF BULLYING / SEXUAL HARASSMENT BEHAVIOR:

- Student Conference with Principal

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- Parent Conference with Principal, which may include parents of both bullying/harassing and bullied/harassed student
- Review of Behavior Plan/Anti-Bullying/Harassment Contract
- Formal Student Apology to Bullied/Harassed Student and Community
- Tier 2 Discipline Consequence

FOURTH INCIDENCE OF BULLYING / HARASSMENT BEHAVIOR:

- Parent-Student Conference with Administrator
- Review of Behavior Plan/Anti-Bullying/Harassment Contract
- Tier 3 Discipline Consequence, which may include suspension

FIFTH INCIDENCE OF BULLYING / HARASSMENT BEHAVIOR:

- Parent-Student Conference with Administrator
- Review of Behavior Plan/Anti-Bullying/Harassment Contract
- Tier 4 Discipline Consequence, which may include suspension

SIXTH INCIDENCE OF BULLYING / HARASSMENT BEHAVIOR:

- Parent-Student Conference with Administrator
- Review of Behavior Plan/Anti-Bullying/Harassment Contract
- Tier 5 Discipline Consequence, which may include recommendation for expulsion

IDENTIFYING AT-RISK YOUTH AND CONTROLLING AT-RISK AREAS

All staff at E.L. Haynes will actively seek out youth who are at risk of being victims or instigators to proactively remedy incidents of bullying/sexual harassment before they occur. If a location on E.L. Haynes premises is identified by E.L. Haynes' data collection efforts as being particularly prone to hosting incidents of bullying/sexual harassment, the Principal will take steps to improve the safety and security of that location for E.L. Haynes youth by measures such as: reducing traffic to such areas, altering schedules of activity groups, or increasing supervision. E.L. Haynes will take measures to address an at-risk location no more than one month after receiving information on the presence of such an area on E.L. Haynes premises.

SERVICES FOR AT-RISK YOUTH

The objective of secondary services is to support at-risk youth and address risk behaviors before they become serious safety or disciplinary issues. To this end, remedial measures will be tailored to the youth receiving them to build on youth strengths while addressing skills and behavior deficits. E.L. Haynes uses the system of Positive Behavior Interventions and Supports and restorative practices to build on youth strengths while addressing behavior deficits and harm to the community.

Resources will be given directly to youth and may include peer support groups, alternative educational or institutional placement, behavior management plans, parent conferences or service learning experiences. If E.L. Haynes does not have access to services appropriate to a youth's needs, they will refer the youth to an outside agency who can address these needs rather than substituting other services that E.L. Haynes can provide.

REPORTING TO THE CITYWIDE COORDINATOR

E.L. Haynes will provide a report of bullying prevention and incident metrics to the citywide coordinator annually. The E.L. Haynes report will include the aggregate incidents of bullying and any other information that the Mayor determines is necessary or appropriate. To ensure confidentiality, reports provided to outside agencies will not include identifying information about the parties involved in an incident, and will report data only in the aggregate.

APPEALS

Any party who not satisfied with the outcome of the initial investigation and response from E.L. Haynes may appeal in writing to the Chair of the Board of Trustees within thirty days of the date of the response summarizing the outcome of the investigation. The written appeal must contain the person's reasons for not accepting the response from E.L. Haynes. The appeal, in letter form, may be submitted to the Head of School who will relay it to the Chair of



the Board of Trustees. E.L. Haynes will complete a secondary investigation within 30 days of receipt of an appeal, unless: (i) circumstances require additional time to complete a thorough investigation; (ii) the higher-level authority sets forth those circumstances in writing, and; the additional time is not to exceed 15 days. Within 30 days from receiving the results of the secondary investigation, the Chair of the Board of Trustees will respond in writing to the person appealing as to the action to be taken. Additionally, all parties may seek further redress under the Human Rights Act.

Resources for Parents

- [Eliminating Bullying](#) - A "Report to Parents" - National Association of Elementary Principals
- [Bullying at School and Online](#) – from education.com

- ["What Every Parent Should Know About Bullying"](#) - from Safe and Supportive Schools
- [Tips for Parents](#) - from author Allen Beane and the "Bully Free Program"
- [What If Your Child Is the Bully?](#) - from the PACER Center
- [A Brief Look at the Differences Between Teasing and Bullying](#) - from author Jeff Dess
- [Bullies and Victims: Information for Parents](#) - from National Ass'n of School Psychologists
- [Bullying Prevention - Recommendations for Parents](#) - from the Safe Communities, Safe Schools
- [Bullying Prevention: Tips for Teachers, Principals, and Parents](#) - Edutopia.org
- [Questions and Answers on Title IX and Sexual Violence](#)
- [U.S. Department of Education- Know Your Rights](#)

Resources for Students

- [Wide Angle Youth Media](#) - Bullying - Videos created by young people in Baltimore
- [Report It- Cyberbullying](#) - Links to abuse reporting sites for social networks
- [Advice for Youth](#) - from Stan Davis, bullying expert and founder of Stop Bullying Now
- [Kids Against Bullying](#) - from PACER's National Bullying Prevention Center

Resources Relating to LGBTQ Students

- [GLSEN](#) - Gay, Lesbian & Straight Education Network
- [It Gets Better Project](#)
- [PFLAG](#) - Parents, Friends and Families of Lesbians and Gays
- [Queer Youth Advice for Educators](#) - Booklet for promoting respect and safety
- [Bullying of LGBT Youth and Those Perceived to Have Different Sexual Orientations](#)

Resources Relating to Students with Disabilities

- [Bullying and Youth with Disabilities and Special Health Needs](#) - from StopBullying.gov
- [National Bullying Prevention Center](#) - from PACER.org
- [Bullying and Learning Disabilities](#) - from the National Center for Learning Disabilities
- [Bully Free World](#) - Special Needs Toolkit from The Bully Project
- [Bullying Resources and Toolkits](#) - from AbilityPath.org
- ["Briefing Paper: Bullying and Students with Disabilities"](#) - from the Nat'l Council on Disability
- ["Bullying and Disabled Kids"](#) - from GreatSchools.org
- [Protecting Your Child from Bullying in School](#) - from About.com-Learning Disabilities
- [Vulnerable Targets: Students with Disabilities and Bullying](#) - from Federation for Children with Special Needs
- [Keeping Students with Disabilities Safe from Bullying](#) - Dear Colleagues

General Resources and Those Relating to School Climate

- [Youth Voice Project](#) - Summary of Research into What Students Report Helped Stop Bullying
- [How Bullying Affects Children](#) - Hazelden Publishing, Olweus Bullying Prevention Program
- [Bullying in Schools: An Overview](#) - Office of Juvenile Justice and Delinquency Prevention
- [Climate Based Strategies for Violence Prevention](#) - Brief Pamphlet from NAESP
- [Infographic- Bullying: What You Need to Know](#) - from stopbullying.gov