



## Thurgood Marshall Academy Anti-Bullying Policy

Public Charter High School

### **OBJECTIVES AND PURPOSE**

A key responsibility of Thurgood Marshall Academy is to provide educational services in a respectful and positive environment. Acts of bullying, harassment and intimidation are an attack on Thurgood Marshall Academy's values. Thurgood Marshall Academy has established this comprehensive bullying prevention policy. This policy protects the dignity and safety of the Thurgood Marshall Academy students, faculty, staff, and volunteers. Thurgood Marshall Academy will promptly report and investigate all incidents of bullying, harassment and intimidation and provide appropriate remedies for victims of an incident.

This policy serves as Thurgood Marshall Academy's bullying prevention plan.

### **DEFINITIONS**

Thurgood Marshall Academy 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.

**PROHIBITION AGAINST BULLYING**

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

1. On Thurgood Marshall Academy grounds and immediately adjacent property, at Thurgood Marshall Academy -sponsored or related events on and off Thurgood Marshall Academy grounds, on any vehicle used for Thurgood Marshall Academy business, at any transit stop at which youth wait to be transported to Thurgood Marshall Academy or any school related event, or through the use of any electronic devices owned by Thurgood Marshall Academy leased by Thurgood Marshall Academy or used for Thurgood Marshall Academy business; and
2. At a location or function unrelated to the Thurgood Marshall Academy, through the use of any electronic devices, including those not owned or leased by Thurgood Marshall Academy, if the acts of bullying or cyberbullying create a hostile environment at the school for the victim or witnesses, infringe on their rights at Thurgood Marshall Academy, or materially and substantially disrupt the orderly operation of Thurgood Marshall Academy.

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.

**PUBLICATION AND CONTACT INFORMATION**

This policy will be made available on Thurgood Marshall Academy's website beginning in school year 2013-14. The policy, and age appropriate versions thereof, will be distributed to youth and parents of youth in contact with Thurgood Marshall Academy annually in the Student Handbook beginning in school year 2014-15. Thurgood Marshall Academy will emphasize that the policy applies to participation in functions sponsored by Thurgood Marshall Academy.

Thurgood Marshall Academy's Director of Student Affairs is responsible for coordinating the school's bullying prevention efforts. All questions, comments and concerns about the bullying policy and Thurgood Marshall Academy's prevention efforts should be able to be directed to the Director of Student Affairs via email as designated by the school's staff list.

Director of Student Affairs  
Attn: Stacey Stewart  
[sstewart@tmacphs.org](mailto:sstewart@tmacphs.org)  
(202)563-6862

**PREVENTION LEADERSHIP**

Responsibility for the implementation and execution of this policy is vested with the Director of Student Affairs who shall have responsibility for:

1. Planning and organizing the prevention plan's professional development activities and coordinating these activities with the Department of Human Resources;
2. Designing or choosing and implementing the programming and curricula the agency uses to address bullying;
3. Receiving and recording incidents of bullying;
4. Responding to incidents of bullying and addressing the needs of victims and bullies;

5. Managing the data collaboration and collection process in cooperation with the District citywide prevention coordinator;
6. Regularly reviewing and updating the policy and any procedures developed as part of it.

## **PRIMARY PREVENTION STRATEGIES**

### CODE OF CONDUCT

Thurgood Marshall Academy expects students to behave in a way that supports the school's objective to provide a safe and welcoming environment for other students, Thurgood Marshall Academy faculty and staff, and community members. Students who are part of the Thurgood Marshall Academy community are expected to follow the code of conduct in the Student Handbook. Further, students should:

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

Students who violate the school's bullying policy will be subject to Disciplinary action, as per the Thurgood Marshall Academy Code of Conduct in the Student Handbook.

### **REPORTING INCIDENTS OF BULLYING OR RETALIATION (DC CODE § 2-1535.03(B)(6))**

Thurgood Marshall Academy expects all faculty, staff members and volunteers to report incidents of bullying or retaliation they witness or are made aware of. Faculty and staff members should immediately report all such incidents to the Director of Student Affairs or designated grade level Dean who will create a written report of a bullying incident and include the incident in Thurgood Marshall Academy reports of bullying incidents to the citywide coordinator.

Youth, parents, guardians, and community members are encouraged by Thurgood Marshall Academy to report any incidents of bullying that they witness or become aware of. Reports of bullying may be made to the:

Director of Student Affairs  
Attn: Stacey Stewart  
[sstewart@tmacphs.org](mailto:sstewart@tmacphs.org)  
(202)563-6862  
2427 MLK Jr. Ave, SE  
Washington DC, 20020

Reports of bullying by youth, parents, guardians and community members may be made anonymously, but disciplinary action cannot be taken by Thurgood Marshall Academy 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 and included in Thurgood Marshall Academy's bullying database.

Thurgood Marshall Academy will ensure information about reporting is communicated to youth connected to Thurgood Marshall Academy in an age appropriate manner. Information on how to report incidents of

bullying will also be included as appropriate in the Student Handbook. The Director of Student Affairs is available to assist in reporting incidents of bullying and can be reached at:

Director of Student Affairs  
Attn: Stacey Stewart  
[sstewart@tmacphs.org](mailto:sstewart@tmacphs.org)  
(202)563-6862  
2427 MLK Jr. Ave, SE  
Washington DC, 20020

Reports of bullying not received by Director of Student Affairs will be transmitted to them and within two business days of their receipt or creation by the staff member who reported the initial incident.

### **INVESTIGATING INCIDENTS OF BULLYING (DC CODE § 2-1535.03(B)(7))**

Prior to the investigation of an incident, the Director of Student Affairs or grade level Dean 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 Director of Student Affairs so long as, in the absence of legal imperative, the parent or guardian's written consent is obtained prior to notification. In all cases the Director of Student Affairs will determine what information will be shared.

Parents and guardians: Thurgood Marshall Academy 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 Director of Student Affairs will determine if parents or guardians should be informed prior to or after the investigation of an incident.

Schools: Thurgood Marshall Academy 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 Thurgood Marshall Academy 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 Director of Student Affairs may wish to consult with either a law enforcement officer or legal counsel.

Thurgood Marshall Academy 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. Thurgood Marshall Academy will make every effort to protect the confidentiality of those who report bullying incidents.

The Director of Student Affairs is responsible for investigating reports of bullying and can be reached at (202)563-6862, [sstewart@tmapchs.org](mailto:ssewart@tmapchs.org). An investigation of an incident will be initiated no more than one day after the Director of Student Affairs 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 Director of Student Affairs, or his/her designee, will interview any involved or relevant parties including alleged victims, bullies, witnesses, staff, parents or guardians, to the extent possible.

The Director of Student Affairs 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. Written records of the investigation process should be maintained and may be included in the prevention database to generate a more accurate picture of bullying behaviors at the school. Where necessary, provisions will be made to include the advice of legal counsel.

In investigating an incident of bullying, the Director of Student Affairs 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 Director of Student Affairs 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 Director of Student Affairs, or his/her 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 Director of Student Affairs, or his/her designee, determines that an incident of bullying has occurred, they should take the response steps enumerated in Thurgood Marshall Academy's prevention plan to prevent the recurrence of an incident and restore the safety of a victim.

If the Director of Student Affairs, or his/her designee determines that additional support is needed to conduct a thorough and equitable investigation they will contact the citywide prevention coordinator.

### **CONSEQUENCES OF BULLYING**

Thurgood Marshall Academy 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, Thurgood Marshall Academy shall ensure that faculty and staff follow these guidelines as closely as possible, while allowing for flexibility to adapt sanctions to individual contexts. Furthermore, to ensure equitability in applying sanctions, measures will be applied on a graduated basis determined by the nature of the offense, the disciplinary history of the student involved, and the age and developmental status of the student involved.

Responses to incidents of bullying may include, but are not limited to any student who is found in violation of the school's Code of Conduct regarding bullying will be subject to disciplinary action. All acts of bullying are considered Category III, as per the schools' Code of Conduct - violations and consequences may include:

- Ban on participation in specific school sanctioned activity
- Out-of-school suspension
- Expulsion

Sanctions will be applied within two business days of the determination that an incident of bullying has occurred, unless an appeal of the incident by the bully has been received in that time as described in the Appeals section of this policy. To ensure that single incidents of bullying do not become recurring problems, Thurgood Marshall Academy will always refer victims and bullies involved in an incident to services in addition to imposing sanctions on bullies.

Thurgood Marshall Academy shall communicate to youth in contact with Thurgood Marshall Academy, the consequences that youth can expect for participating in bullying behavior.

### **APPEALS**

Parties dissatisfied by the outcome of a bullying investigation may appeal the determination of the Director of Students Affairs to the Executive Director of Thurgood Marshall Academy. This appeal should be submitted in writing no later than 30 days after the initial determination. Upon receipt of an appeal, the Executive Director must conduct a secondary investigation within 30 business days of the receipt of an appeal. This 30 days may be extended by up to an additional 15 business days if the Executive director sets forth in writing the reasons why more time is needed to conduct an investigation. Additionally, upon the receipt of an appeal, the Executive Director must inform the party making the submission of their ability to seek additional redress under the DC Human Rights Act.