



HARRIS COUNTY JUVENILE PROBATION Education Services Operating Procedure

Revised Date: 7/17/2012

Approved By:

Related Standards:
House Bill 1942

Section: Education Services

Title: Youth on Youth Bullying

POLICY

All youth participating in a Harris County Juvenile Probation Department (HCJPD) education program or housed in an HCJPD facility shall be provided a safe environment free of bullying. HCJPD has a zero tolerance policy regarding any incidents of bullying or harassment, as well as retaliation against a person, witness, or another person who in good faith provides information regarding bullying. Any youth housed in any HCJPD facility or education program who believes he/she has been a victim of or a witness to bullying has the right to make an allegation to any agency staff or another adult. The duty to report bullying allegations extends to volunteers, interns, and public and private vendors of HCJPD. All allegations of bullying shall be investigated.

If an allegation of bullying involves staff on youth bullying it will automatically be considered Abuse, Neglect, and Exploitation and will be handled according to the ANE policy and procedures.

HCJPD shall ensure that Education and Facility staff, volunteers, and vendors are properly trained in the Bullying Policy and Procedure.

House Bill 1942 defines bullying as engaging in written or verbal expression, expression through electronic means, or physical conduct that occurs on school property, at a school-sponsored or school-related activity, or in a vehicle operated by the district and that: (1) has the effect or will have the effect of physically harming a student, damaging a student's property, or placing a student in reasonable fear of harm to student's person or damage to a student's property; or (2) is sufficiently severe, persistent and pervasive enough that the action or threat creates an intimidating, threatening or abusive educational environment for a student.

Conduct is considered bullying if it (1) exploits an imbalance in power between the student perpetrator and the student victim through written or verbal expression or physical conduct; and (2) interferes with a student's education or substantially disrupts the operation of a school.

PROCEDURE

Bullying:

Any HCJPD Education or Facility employee, volunteer, or vendor who:

- is informed of an allegation (verbal or written); or

- witnesses an incident of bullying shall report the incident to the proper administrator. For purposes of this policy, this person will be referred to as the Person of Knowledge. All allegations are to be reported to supervisory staff immediately.

The Person of Knowledge will document the incident and submit it to supervisory staff before he/she leaves the work site or facility.

Parents/guardians of the alleged victim shall also be notified within 24 hours by supervisory staff or designee.

Any youth who makes an allegation, witnesses an incident or feels he or she has been a victim of bullying has a right to report this information. The youth may disclose this information to any agency staff or another adult. All detained and JJAEP youth shall be informed of their right to report during the orientation process.

Investigations

Investigations are to be conducted by administrative and/or supervisory staff.

The person responsible for conducting the investigation will further be referred to as the investigator. The investigator shall begin an investigation by:

1. completing the Bullying Incident Report Form;
2. collecting all documentation including incident reports;
3. collecting evidence at the scene, if warranted;
4. collecting written statements from all persons involved in the incident. (In HCJPD facilities, the investigator may utilize casework staff or other supervisory staff to collect youth's statements.)

All employees, volunteers and interns shall fully cooperate with any investigation of alleged bullying. Any employee, volunteer, or vendor who does not cooperate fully will be reported to the site administrator or designee immediately, who will then inform the respective Deputy Director.

Any juvenile alleged to be the student perpetrator will be separated from the student victim(s), whenever possible, until conclusion of the investigation.

The Bullying Investigation Report form will be completed and submitted with all related documentation to Site Administrator or designee within 5 working days of initial report of the incident, unless an extension is granted by site or facility administration. Site or facility administration shall notify the respective Deputy Director or designee of any delay.

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The Site Administrator or designee will review the investigator's findings, add comments if necessary, and sign off on the packet. The Investigation is not considered complete until the packet is reviewed and approved by the Site Administrator or designee. The completed packet shall be forwarded to the respective Deputy Director or designee by the next working day. The Site Administrator or designee will determine the appropriate course of action.

The Crisis Investigation Team (CIT) may be activated by HCJPD Administration in any investigation. If activated, the CIT will assume the investigation and submit findings to the respective Deputy Director.

At the conclusion of any investigation, the Juvenile Board and/or the Executive Director shall take appropriate corrective measures, if warranted, that may include, but are not limited to: a review or revision of related policies and procedures. Also, additional training may be developed or scheduled for all appropriate personnel to ensure the safety of the residents, employees, and any other persons who may provide services in the agency.

A mental health professional shall also assess any youth who is a victim of, is a witness to, or engages in bullying. The mental health professional shall assess the need for crisis intervention counseling and any subsequent follow-up or counseling services.