

Washington Youth Academy
July 24, 2013

Cadet and Employee Prohibition of Harassment, Coercion, Intimidation, Bullying, and Retaliation

Program Guidance

Everyone has the right to work, study, and learn in a respectful environment. The Washington Youth Academy is committed to a safe and civil educational environment for all cadets, employees, parents/legal guardians, volunteers and patrons that is free from harassment, coercion, intimidation, bullying or retaliation. Harassment, coercion, intimidation, bullying or retaliation is prohibited and will not be tolerated by cadets or employees of the Washington Youth Academy. “Harassment, coercion, intimidation or bullying” means any intentionally written message or image, verbal or physical act, including but not limited to one shown to be motivated by (race, color, religion, ancestry, national origin, gender, sexual orientation including gender expression or identity, mental or physical disability, or other distinguishing characteristics, when the act:

- Physically, emotionally, or psychologically harms a cadet or damages the cadet’s property;
- Has the effect of substantially interfering with a cadet’s education;
- Is so severe, persistent, or pervasive that it creates an intimidating or threatening educational environment;
- Has the effect of substantially disrupting the orderly operation of the school.

Acts of hazing are considered the same as harassment, coercion, intimidation, or bullying. Nothing in this section requires the affected individual to actually possess a characteristic that is a basis for the harassment, intimidation, bullying or retaliation. “Other distinguishing characteristics” can include but are not limited to: physical appearance, clothing or other apparel, socioeconomic status and weight. “Intentional acts” refers to the individual’s choice to engage in the act rather than the ultimate impact of the action(s).

Behavior Expressions

Harassment, coercion, intimidation, bullying or retaliation can take many forms including but not limited to slurs, rumors, jokes, innuendos, demeaning comments, drawings, cartoons, pranks, gestures, physical attacks, threats, or other written, oral, physical or electronic messages or images. This procedure and guidance is not intended to prohibit expression of religious, philosophical, or political views, provided that the expression does not substantially disrupt the educational environment. Many behaviors that do not rise to the level of harassment, intimidation or bullying may still be prohibited by other academy procedures/WMD policies or classroom or NGYP program rules.

Training

This guidance is a component of each academy staff member’s responsibility to create and maintain a safe, civil, respectful and inclusive learning community and is to be implemented in conjunction with comprehensive training of staff, volunteers, and cadets. Cadets are trained in the NCYP’s “hands-off leadership” policy and that violations of the policy will not be tolerated by staff, volunteers, and/or cadets.

No academy/WMD employee, cadet, or volunteer may engage in reprisal, retaliation or false accusation against a victim, witness, or one with reliable information about an act of harassment, intimidation or bullying. Such behavior may result in disciplinary action.

Prevention

The academy will provide cadets and staff with strategies aimed at preventing harassment, intimidation and bullying. In its efforts to train cadets, the academy will seek partnerships with families, law enforcement and other community agencies. Cadets and staff are trained to recognize, understand, and report harassment, coercion, intimidation, bullying or retaliation; and to know that these actions will not be tolerated at the WYA. They are also trained to understand that a bystander who allows bullying to occur is as responsible as the bully.

Interventions

Interventions are designed to remediate the impact on the targeted person(s) and others impacted by the violation, to change the behavior of the perpetrator, and to restore a positive climate. The Academy will consider the frequency of incidents, developmental age of the individual, and severity of the conduct in determining intervention strategies. Interventions will range from counseling, correcting behavior and discipline, to law enforcement referrals, and/or termination from the program.

Retaliation/False Allegations

Retaliation is prohibited and will result in appropriate discipline. It is a violation of this procedure/guidance to threaten or harm someone for reporting harassment, intimidation, or bullying. It is also a violation of academy policy to knowingly report false allegations of harassment, intimidation, and bullying. Cadets or employees will not be disciplined for making a report in good faith. However, persons found to knowingly report or corroborate false allegations will be subject to appropriate discipline.

Compliance Officer

The director will appoint a compliance officer as the primary academy contact to receive copies of all formal and informal complaints and ensure policy implementation. The name and contact information for the compliance officer will be communicated throughout the Academy.

The director is authorized to direct the implementation of procedures addressing the elements of this procedure and guidance. All staff are responsible for receiving informal complaints and reports of bullying and informing appropriate academy personnel of the complaint or report for investigation and resolution. All staff are also responsible for directing complainants to the formal complaint process. Reports of violations/allegations, investigations, and resolution of complaints will be conducted and concluded in a timely manner. The Academy shall make available training and written materials to employees, volunteers and cadets. This procedure and guidance shall be trained each cycle and reproduced in cadet, volunteer and employee handbooks.

****It is important to note that investigations involving complaints against academy teachers and/or staff members (state employees, volunteers, etc.) will be conducted in accordance with current state law and WMD agency policy; and applicable Collective Bargaining Agreements (CBA's) for represented employees/teachers. The processes below are primarily directed at cadet's and may vary from the policies, procedures, and/or collective bargaining agreements of state employees and/or represented employees and/or teachers.***

Legal Reference: RCW 28A.300.285 Harassment, intimidation and bullying prevention policies

WMD Policy No. HR-245-11 Violence in the Workplace

WMD Policy No. HR-226-98u Sexual Harassment

Cross References: Cadet/Cadre Handbooks, revised 2013

National Guard Bureau/Washington Military Department, Cooperative Agreement, Jan. 2013, "Hands-Off Leadership" policy.