

RESOLUTION NO. 18-2146

A RESOLUTION OF THE CITY OF DENTON CREATING AN ANTI-BULLYING AND ANTI-HARASSMENT POLICY FOR ALL CITY FACILITIES AND PROGRAMS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City desires to prohibit both bullying and harassment in all City of Denton facilities and programs, against any individual on the basis of race, color, religion, gender, sexual orientation, gender identity, age, disability status, national origin, genetics, or any protected classification under Federal or State law, in furtherance of the City's service to the public; and

WHEREAS, the City Council directed staff to create an anti-bullying and anti-harassment policy for City facilities and programs during the August 14, 2018 work session of the City Council meeting; and

WHEREAS, this policy herein achieves these desired goals of protecting individuals against bullying and harassment when participating in City programs and being at City facilities; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF DENTON HEREBY RESOLVES:

SECTION 1. The City's policy entitled "ANTI-BULLYING AND ANTI-HARASSMENT POLICY" reference number 510.01, attached hereto and made a part hereof, is hereby adopted as an official policy of the City of Denton.

SECTION 2. The attached policy shall be filed in the official records with the City Secretary.

SECTION 3. The City Council hereby approves and authorizes the City Manager, or his designee, to take such additional actions as the City Manager, or his designee, deems necessary and appropriate to effectuate this policy and resolution for City facilities and programs.

SECTION 4. This resolution shall become effective immediately upon its passage and approval.

SECTION 5. To the extent any resolution previously adopted by the City Council is inconsistent with this resolution, it is hereby superseded.

SECTION 6. If any one or more sections or clauses of this resolution is judged to be unconstitutional or invalid, such judgment shall not affect, impair, or invalidate the remaining provisions of this resolution and the remaining provisions of the resolution shall be interpreted as if the offending section or clause never existed.

The motion to approve this resolution was made by Gerard Hudspeth and seconded by Paul Meltzer, the resolution was passed and approved by the following vote [7 - 0]:

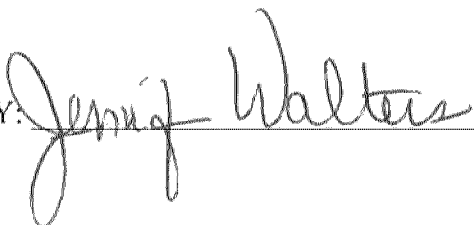
	Aye	Nay	Abstain	Absent
Mayor, Chris Watts:	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
Gerard Hudspeth, District 1:	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
Keely G. Briggs, District 2:	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
Don Duff, District 3:	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
John Ryan, District 4:	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
Deb Armintor, At Large Place 5:	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
Paul Meltzer, At Large Place 6:	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>

PASSED AND APPROVED this the 11th day of December, 2018.



 CHRIS WATTS, MAYOR

ATTEST:
 JENNIFER WALTERS, CITY SECRETARY

BY: 

APPROVED AS TO LEGAL FORM:
 AARON LEAL, CITY ATTORNEY

BY: 

CITY OF DENTON

POLICY/ADMINISTRATIVE PROCEDURE/ADMINISTRATIVE DIRECTIVE

SECTION: GENERAL POLICIES/PROCEDURES/DIRECTIVES	REFERENCE NUMBER: 510.01
SUBJECT: BULLYING PREVENTION IN CITY FACILITIES AND PROGRAMMING	INITIAL EFFECTIVE DATE: 12/4/18
TITLE: ANTI-BULLYING AND ANTI-HARASSMENT POLICY	LAST REVISION DATE:

POLICY STATEMENT

The City of Denton acknowledges that all individuals have the right to participate fully in City programming, activities, and use of City facilities free from bullying and harassment. Bullying and harassment, like other harmful or violent behaviors, are forms of conduct that disrupt both a person's ability to engage in development opportunities and the City's ability to deliver services in a safe environment.

The City of Denton prohibits bullying as defined in this policy against any individual on the basis of race, color, religion, gender, sexual orientation, gender identity, age, disability status, national origin, genetics, or any protected classification under Federal or state law.

This policy is applicable to all individuals participating in City programs and activities and covers conduct that takes place in City facilities and on City property. This policy also pertains to usage of electronic technology and electronic communication that is used for bullying or harassment (i.e. cyber-bullying).

DEFINITIONS

"Bullying," as described by the American Psychological Association, is a type of aggressive behavior where someone causes injury or discomfort intentionally and repeatedly to another person. We further define bullying as written, verbal, or physical conduct that adversely affects the ability of one or more person(s) to participate in or benefit from the City's programs or activities by placing the individual in reasonable fear of physical or emotional harm. This includes conduct that is based on an individual's actual or perceived race, color, national origin, sex, disability, sexual orientation, gender identity, religion, or any other distinguishing characteristics that may be defined by the City of Denton. This also includes association with a person or group with one or more of the above-mentioned characteristics, whether actual or perceived. Any use of electronic communication technology to bully or harass as defined in this policy is also prohibited under this policy.

"Harassment" means unwelcome conduct that is based on race, color, religion, gender, sexual orientation, gender identity, age, disability status, national origin, genetics, or any protected classification under Federal or state law and the conduct is severe or pervasive enough to create an environment that a reasonable person would consider intimidating, hostile, or abusive.

POLICY/ADMINISTRATIVE PROCEDURE/ADMINISTRATIVE DIRECTIVE (Continued)

ANTI-BULLYING AND ANTI-HARASSMENT POLICY

REFERENCE NUMBER:
510.01**ADMINISTRATIVE DIRECTIVES****1.0 REPORTING PROCEDURES**

A. All allegations of bullying, harassment, or cyber-bullying can be reported to the designated City staff in writing or by email. Any individual may file such a report.

B. Upon receipt of a complaint, City staff shall take such action(s) as they deem reasonable and appropriate based off of this policy and the specific department's procedures. Reasonable and appropriate actions may include but are not limited to:

- a. Contacting individuals involved to determine whether an investigation should be pursued;
- b. Investigating the alleged incident of bullying, harassment, or cyber-bullying;
- c. Taking immediate steps, at the Department head's discretion, to protect any involved individual pending completion of an investigation; and
- d. Taking action such as banning individuals from City programs or facilities if said individual is found to be in violation of this policy immediately following the conclusion of the investigation.

C. Concerns of bullying, harassment, and cyber-bullying may be filed anonymously. However, exclusion from program participation generally cannot be taken based on an anonymous report alone. Anonymous reports will be investigated with the same procedure, timeliness, and vigor as other reports.

D. City staff may also use this procedure to investigate complaints of retaliation or threats of retaliation which intimidate the victim of bullying or harassment.

E. Any act or event involving potential criminal activity may be reported to the Denton Police Department or other law enforcement agencies as applicable.

2.0 GENERAL PROVISIONS

A. To the extent reasonably possible and when applicable, City departments shall notify participants of this policy and potential adverse actions which may include, but are not limited to: warnings; loss of opportunity to participate in City activities; being banned from specific programs or facilities; and loss of other privileges.

B. Any City department taking adverse actions against an individual found in violation of this policy should evaluate whether it may be appropriate to notify any other City departments depending on the factual circumstances.

POLICY/ADMINISTRATIVE PROCEDURE/ADMINISTRATIVE DIRECTIVE (Continued)

ANTI-BULLYING AND ANTI-HARASSMENT POLICY	REFERENCE NUMBER: 510.01
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C. City Department heads may take reasonable steps to implement ongoing professional development of staff members to prevent, identify, and respond to bullying, harassment, and cyber-bullying.

D. City Departments heads may take reasonable steps to present the City and Department's policy on bullying, harassment, and cyber-bullying to individuals participating in City programming or using City facilities. This may include instruction on how to prevent bullying, harassment, and cyber-bullying; the process for filing complaints; and the process/consequences that will result from the complaint. This policy may be included in registration forms, posted in City facilities, and on City department websites.