

RESOLUTION

--Draft--

Be it resolved that the Board of Neighborhood Commissioners creates the following policy:

PROHIBITION AGAINST BULLYING AND HARASSMENT BETWEEN NEIGHBORHOOD COUNCIL BOARD MEMBERS

Whereas, the Board of Neighborhood Commissioners recognizes that a Neighborhood Council System that is physically and emotionally safe and secure for all Board Members promotes good citizenship, increases Stakeholder attendance and supports community engagement;

Whereas, Neighborhood Councils are required under Article II of the Plan for a Citywide System of Neighborhood Councils to be diverse, inclusive and open to all Stakeholders;

Whereas, bullying or harassment, like other forms of aggressive and violent behaviors, interferes with both a Neighborhood Council's ability to engage its Board Members and a Board Member's ability to interact with its Stakeholders and its community;

Whereas, Commissioners and Board Members are expected to refuse to tolerate bullying and harassment and to demonstrate behavior that is respectful and civil;

Whereas, the Board of Neighborhood Commissioners recognizes "bullying" or "harassment" can include any gesture or written, verbal, graphic, or physical act (including electronically transmitted acts – i.e., cyberbullying, through the use of internet, cell phone, personal digital assistant (pda), computer, or wireless handheld device, currently in use or later) that is reasonably perceived as being dehumanizing, intimidating, hostile, threatening, or otherwise likely to evoke fear of physical harm or emotional distress;

Whereas, "bullying" or "harassment" may be motivated either by bias or prejudice based upon any actual or perceived characteristic, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity or expression; or a mental, physical, or sensory disability or impairment; or by any other protected characteristic, or is based upon association with another person who has or is perceived to have any such characteristic;

Whereas, "bullying" and "harassment" also include forms of retaliation against individuals who report or cooperate in an investigation under this policy;

Whereas, the Board of Neighborhood Commissioners expects Board Members to conduct themselves in a manner in keeping with their established Code of Civility and with a proper

regard for the rights and welfare of other Board Members, Stakeholders, Committee Members, and volunteers;

Whereas, Section 902 (b) Article IX of the new Charter provides that the Board of Neighborhood Commissioners “shall be responsible for policy setting and policy oversight...and the promulgation of rules and regulations but not be responsible for day-to-day management.”

Now, therefore, be it resolved that the Board of Neighborhood Commissioners establishes this policy to prohibit acts of bullying, harassment, and other forms of aggression and violence.

POLICY NUMBER:

- 1 Bullying and harassment between Neighborhood Council Board Members is prohibited.
 - a. “Bullying” is conduct that meets all of the following criteria:
 - i. is reasonably perceived as being dehumanizing, intimidating, hostile, threatening, or otherwise likely to evoke fear of physical harm or emotional distress;
 - ii. is directed at one or more Board Members;
 - iii. is conveyed through physical, verbal, or technological means;
 - iv. substantially interferes with participation opportunities, benefits, or programs of one or more Board Members at Neighborhood Council sponsored activities or events;
 - v. adversely affects the ability of a Board Member to participate in or benefit from the Neighborhood Council programs or activities by placing the Board Member in reasonable fear of physical harm or by causing emotional distress; and,
 - vi. is based on a Board Member’s actual or perceived protected characteristic (see above), or is based on an association with another person who has or is perceived to have any of these characteristics.
 - b. “Harassment” is conduct that meets all of the following criteria:
 - i. is reasonably perceived as being dehumanizing, intimidating, hostile, threatening, or otherwise likely to evoke fear of physical harm or emotional distress;
 - ii. is directed at one or more Board Members; is conveyed through physical, verbal, or technological means;
 - iii. substantially interferes with participation opportunities, benefits, or programs of one or more Board Member at Neighborhood Council sponsored activities or events;
 - iv. adversely affects the ability of a Board Member to participate in or benefit from the Neighborhood Council programs or activities because the

- conduct, as reasonably perceived by the Board Member, is so severe, pervasive, and objectively offensive as to have this effect; and,
- v. is based on a Board Member’s actual or perceived protected characteristic (see above), or is based on an association with another person who has or is perceived to have any of these characteristics.

2 Notice and Reporting of Prohibited Conduct

- a. If a Neighborhood Council Board Member is bullied or harassed by another Neighborhood Council Board Member, the Board Member should notify the person engaging in bullying or harassing conduct that their behavior is unwelcome. If the Board Member continues to engage in bullying or harassing behavior, this conduct is referred to as “prohibited conduct.”
 - i. Examples of “prohibited conduct” include but are not limited to:
 1. Standing or remaining within 3 feet of a Board Member after having been asked to step back.
 2. Speaking in a raised voice or yelling at a Board Member after being asked to lower the voice.
 3. Posting false information about a Board Member online
 4. Sending communications or telephoning a Board Member after being asked to stop.
- b. Board Members who are bullied or harassed, may file a complaint with the Department of Neighborhood Empowerment. Complaints must be filed within 30 days of the event. The complaint must state what prohibited conduct occurred and evidence that the prohibited conduct remains ongoing.

3 Remedies imposed by the Department of Neighborhood Empowerment.

- a. Depending on the number and severity of complaints filed against a Board Member for engaging in prohibited conduct, the Department is authorized to impose a series of graduated consequences against Board Members who continue to engage in prohibited conduct. Remedial measures shall be designed to correct the problem behavior, prevent another occurrence of the behavior and protect Board Members from being subject to continuing prohibited conduct.
- b. The graduated consequences and remedial measures that the Department may impose against a Board Member who is the subject of a complaint include, but are not limited to:

- i. Admonishment – The Department, in conjunction with the Office of the City Attorney, may notify the Board Member to cease the prohibited conduct.
- ii. Training – The Department may mandate that the Board Member who is the subject of the complaint attend a training course designed to eliminate bullying and harassment. In addition, the Department may require training for the Board to better address and respond to situations involving bullying or harassment.
- iii. Temporary Suspension from the Board– the Department may temporarily suspend the Board Member’s ability to remain on the Neighborhood Council Board.
- iv. Expulsion or removal from the Board– the Department may remove the Board Member who is the subject of the complaint from the Board and authorize the Board to fill the vacant seat.

4 Incorporation of this Policy into the Neighborhood Council bylaws.

- a. This Policy shall be attached and incorporated into each Neighborhood Council bylaws. Neighborhood Councils shall be required to review this policy at a public meeting of the Board within the first 3 months of a newly elected Board being seated.

5 This policy is not applicable to situations where Board Members are bullied or harassed by members of the public. In those situations, the Board Member should work with the Board President, the Department of Neighborhood Empowerment and/or the Office of the City Attorney in developing tools to address these situations. The Board is expected to take appropriate action if a stakeholder committee member engages in prohibited conduct towards a Board Members during the performance of their committee duties.

6 This policy is effective immediately upon adoption.

Moved by: _____
Member, Board of Neighborhood Commissioners

Seconded by: _____

Member, Board of Neighborhood Commissioners

Witnessed by: _____

Staff, Department of Neighborhood Empowerment

VOTES:

Ayes: _____

Nays: _____

DATE: _____

DRAFT