

## Students

### **Bullying Procedures**

Bullying, intimidation, and (sexual) harassment are not acceptable in any form and will not be tolerated at school or any school-related activity, on school property, on school buses and transportation vehicles or through a school computer, network or other school electronic equipment. The school will protect students against retaliation for reporting incidents of bullying, intimidation, or (sexual) harassment, and will take disciplinary action against any student who participates in such conduct.

No person shall harass, intimidate or bully another based upon perceived race, color, nationality, sex, sexual orientation, gender-related identity or expression, ancestry, age, religion, creed, physical or mental disability, gender identity, order of protection status, status as homeless, or actual or potential marital or parental status, including pregnancy, unfavorable discharge from military service, association with a person or group with one or more of the aforementioned actual or perceived characteristic or any other distinguished characteristic. The school and district will not tolerate harassing, intimidating conduct, or bullying whether verbal, physical, or visual, that affects the tangible benefits of education, that unreasonably interferes with a student's educational performance, or that creates an intimidating, hostile, or offensive educational environment.

"Bullying" includes "cyber bullying" and means any severe or pervasive physical or verbal act or conduct, including communications made in writing or electronically, directed toward a student or students that has or can be reasonably predicted to have the effect of: (1) placing the student or students in reasonable fear of harm to the student's or students' person or property; (2) causing a substantially detrimental effect on the student's or students' physical or mental health; (3) substantially interferes with the student's or students' academic performance; or (4) substantially interferes with the student's or students' ability to participate in or benefit from the services, activities, or privileges provided by the school.

"Cyber-bullying" means bullying through the use of technology or any electronic communication, including without limitation any transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic system, photoelectronic system, or photooptical system, including without limitation electronic mail, Internet communications, instant messages, or facsimile communications. "Cyber-bullying" includes the creation of a webpage or weblog in which the creator assumes the identity of another person or the knowing impersonation of another person as the author of posted content or messages if the creation or impersonation creates any of the effects enumerated in the definition of bullying in this Policy. "Cyber-bullying" also includes the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons if the distribution or posting creates any of the effects enumerated in the definition of bullying in this Policy.

Bullying may take various forms, including without limitation one or more of the following: harassment, threats, intimidation, stalking, physical violence, sexual harassment, sexual violence, theft, public humiliation, destruction of property, or retaliation for asserting or alleging an act of bullying.

Additional examples of prohibited conduct include, without limitation, any use of violence, intimidation, force, noise, coercion, threats, stalking, harassment, sexual harassment, public humiliation, theft or destruction of property, retaliation, hazing, bullying, bullying through the transmission of information from a school computer, a school computer network, or other similar electronic school equipment, other electronic medium, or other comparable conduct.

### Reporting an Incident of Alleged Bullying

Students are encouraged to promptly report claims or incidents of bullying or harassment to the principal or assistant principal. Students may choose to report to a person of the student's same sex. Complaints will be kept confidential to the extent possible given the need to investigate. Students who make good faith complaints will not be disciplined.

Students may also choose to anonymously report claims or incidents of bullying or harassment using an online form located on each building level internet website. The link button is titled: Student Safety – Incident Reporting.

### Investigation

The District shall conduct a preliminary investigation into any report of alleged bullying to determine whether the reported act of bullying is within the permissible scope of the District's jurisdiction. The District shall provide the victim of the reported bullying with information regarding services that are available within the District and community, such as counseling, support services, and other programs.

Thereafter, upon receiving a report of bullying or harassment, the District will conduct an investigation into the allegations contained in such a report. The District will promptly notify the parents or guardians of all students involved in the alleged incident(s) of bullying and/or harassment, and will advise the parents or guardians of the students involved of the resources available to the students, including social work services, counseling, and school psychological services. The District shall also promptly notify the principal or school administrator or his or her designee of the report of the incident of bullying or harassment as soon as possible after the report is received.

The District shall make all reasonable efforts to complete the investigation within ten (10) school days after the date the report of the incident of bullying or harassment was received, taking into consideration additional relevant information received during the course of the investigation concerning the reported incident.

Through the course of its investigation, the District shall involve appropriate school support personnel and other staff persons with knowledge, experience, and training on bullying investigation as deemed appropriate.

The District shall also make information concerning the status of the investigation available to the parents or guardians of all students involved in such investigation. The parents or guardians of the students involved shall have the opportunity to meet with the principal or school administrator, or his or her designee, to discuss the investigation, any findings resulting there from, and any actions taken to address the reported bullying or harassment.

### Findings

Any student who is determined, after an investigation, to have engaged in bullying, intimidation or harassment will be subject to disciplinary consequences as provided in this handbook, including but not limited to, suspension and expulsion consistent with the school and district's discipline policy.

Parents/guardians of students who have engaged in the above behavior will be notified. Any student making a knowingly false accusation regarding bullying as a means of retaliation or bullying may also be subject to disciplinary consequences.

The District shall use various interventions to address bullying, which may include, but are not limited to, school social work services, restorative measures, social-emotional skill building, counseling, school psychological services, and community-based services.

The District prohibits reprisal or retaliation against any person who reports an act of bullying or harassment. Any District employee or student of the District who is determined to have retaliated against any person reporting an act of bullying or harassment will be subject to disciplinary action up to and including discharge with regard to District employees, or suspension or expulsion with regard to students.

#### Evaluation of Policy

On a periodic basis, and no less than bi-annually, the District shall review and re-evaluate the effectiveness of this policy by considering factors including but not limited to: the frequency of reports alleging bullying or harassment; any student, staff, or family observations regarding safety at school; identification areas of a school where bullying occurs; the types of bullying being utilized; and the frequency and extent of bystander intervention or participation. The District may also use relevant data and information collected for other purposes in its evaluation of this policy. In addition, the information developed as a result of the policy evaluation will be made available on the District's internet website. Based on such review and re-evaluation, the District will make any necessary revisions to this policy as it deems appropriate.

Bullying is contrary to state law and the policy of the school district.

***Schools shall implement steps for early intervention, including staff responses and identifying factors to combat aggressive behavior or bullying.***

LEGAL REF.: 20 U.S.C. §1681 etseq., Title IX of the Educational Amendments.  
 34 C.F.R. Part 106.  
 105 ILCS 5/10-20.12, 10-22.5, 5/27-1, and 5/27-23.7.  
 775 ILCS 5/1-101 etseq., Illinois Human Rights Act.  
 23 Ill.Admin.Code §1.240 and Part 200.  
Davis v. MonroeCountyBoard of Education, 119 S.Ct. 1661 (1999).  
Franklin v. Gwinnett Co. Public Schools, 112 S.Ct. 1028 (1992).  
Gebser v. LagoVistaIndependentSchool District, 118 S.Ct. 1989 (1998).  
West v. Derby Unified School District No. 260, 206 F.3d 1358 (10th Cir., 2000).August 20, 2014

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