

Section 7 - Students

Rights and Responsibilities

Policy 7:180

Preventing Bullying, Intimidation, and Harassment

Bullying, intimidation, and harassment diminish a student's ability to learn and a school's ability to educate. Preventing students from engaging in these disruptive behaviors is an important District goal. The Superintendent or designee shall develop and maintain a program that:

1. Fully implements and enforces each of the following Board policies:
 - a. 7:20, Harassment of Students Prohibited. This policy prohibits any person from harassing or intimidating a student based upon a student's race, color, nationality, sex, sexual orientation, ancestry, age, religion, creed, physical or mental disability, gender identity, order of protection status, status of being homeless, or actual or potential marital or parental status, including pregnancy, or other protected group status.
 - b. 7:190, Student Discipline. This policy prohibits students from engaging in hazing or any kind of aggressive behavior that does physical or psychological harm to another or any urging of other students to engage in such conduct; prohibited conduct includes any use of violence, force, noise, coercion, threats, intimidation, fear, harassment, bullying, hazing, or other comparable conduct.
 - c. 7:310, Restrictions on Publications and Written or Electronic Material. This policy prohibits students from: (i) accessing and/or distributing at school any written, printed, or electronic material, including material from the Internet, that will cause substantial disruption of the proper and orderly operation and discipline of the school or school activities, and (ii) creating and/or distributing written, printed, or electronic material, including photographs and Internet material and blogs, that causes substantial disruption to school operations or interferes with the rights of other students or staff members.

Full implementation of the above policies includes: (a) conducting a prompt and thorough investigation of alleged incidents of bullying, intimidation, harassing behavior, or similar conduct, (b) providing each student who violates one or more of these policies with appropriate consequences and remedial action, and (c) protecting students against retaliation for reporting such conduct.

2. Examines the appropriate steps to understand and rectify conditions that foster bullying, intimidation, and harassment; this contemplates taking action to eliminate or prevent these disruptive behaviors beyond traditional punitive disciplinary actions.

3. Includes bullying prevention and character instruction in all grades in accordance with State law and Board policy 6:60, Curriculum Content. This includes incorporating student social and emotional development into the District's educational program as required by State law and in alignment with Board policy 6:65, Student Social and Emotional Development.

4. Fully informs staff members of the District's goal to prevent students from engaging in bullying and the measures being used to accomplish it. This includes: (a) communicating the District's expectation – and the State law requirement – that teachers and other certificated employees maintain discipline, and (b) establishing a process for staff members to fulfill their obligation to report alleged acts of bullying, intimidation, harassment, and other acts of actual or threatened violence.

5. Encourages all members of the school community, including students, parents, volunteers, and visitors, to report alleged acts of bullying, intimidation, harassment, and other acts of actual or threatened violence.

6. Actively involves students' parents/guardians in the remediation of the behavior(s) of concern. This includes ensuring that all parents/guardians are notified, as required by State law, whenever their child engages in aggressive behavior.

7. Communicates the District's expectation that all students conduct themselves with a proper regard for the rights and welfare of other students. This includes a process for commending or acknowledging students for demonstrating appropriate behavior.

8. Annually communicates this policy to students and their parents/guardians. This includes annually disseminating information to all students and parents/guardians explaining the serious disruption caused by bullying, intimidation, or harassment and that these behaviors will be taken seriously and are not acceptable in any form.

9. Engages in ongoing monitoring that includes collecting and analyzing appropriate data on the nature and extent of bullying in the District's schools and, after identifying appropriate indicators, assesses the effectiveness of the various strategies, programs, and procedures and reports the results of this assessment to the Board along with recommendations to enhance effectiveness.

10. Complies with State and federal law and is in alignment with Board policies. This includes prompting the Board to update the policy beginning

every 2 years after its initial adoption and filing this policy with the Illinois State Board of Education after the Board adopts or updates it.

LEGAL REF.: 405 ILS 49/, Children's Mental Health Act. 105 ILCS 5/10-20.14, 5/24-24, and 5/27-23.7. 23 Ill.Admin.Code §§1.240 and §1.280.

CROSS REF.: 2:240 (Board Policy Development), 5:230 (Maintaining Student Discipline), 6:60 (Curriculum Content), 6:65 (Student Social and Emotional Development), 7:20 (Harassment of Students Prohibited), 7:190 (Student Discipline), 7:220 (Bus Conduct), 7:230 (Misconduct by Students with Disabilities), 7:240 (Conduct Code for Participants in Extracurricular Activities), 7:310 (Restrictions on Publications and Written or Electronic Material)

ADOPTED: March 15, 2010

Students

Prevention of and Response to Bullying and Other Aggressive Behaviors¹

Bullying diminishes a student's ability to learn and a school's ability to educate. Such conduct interferes with a student's educational environment, safety, and academic performance. Preventing students from engaging in these aggressive and disruptive behaviors and providing all students equal access to a safe, non-hostile learning environment are important District goals.

Students are expected to act respectfully toward their peers and to avoid bullying and aggressive behaviors in their interactions with other students. The District prohibits and will not tolerate aggressive student behavior, including bullying conduct of any type or on any basis, as defined below. Further, the District will protect students against retaliation for reporting incidents of aggressive behavior and bullying, and will take disciplinary action against any student who participates in such conduct.

In addition, bullying is prohibited on the basis of actual or perceived race, color, national origin, military status, unfavorable discharge status from the military service, sex, sexual orientation, gender identity, gender-related identity or expression, ancestry, age, religion, physical or mental disability, or marital status; association with a person or group with one or more of the aforementioned actual or perceived characteristics; or any other distinguishing characteristic.

Bullying is **prohibited** in each of the following situations: ²

1. During any school-sponsored education program or activity.
2. While in school, on school property, on school buses or other school vehicles, at designated school bus stops waiting for the school bus, or at school-sponsored or school-sanctioned events or activities.
3. Through the transmission of information from a school computer, a school computer network, or other similar electronic school equipment.
4. Through the transmission of information from a computer that is accessed at a non-school-related location, activity, function, or program or from the use of technology or an electronic device that is not owned, leased, or used by the School District or school if the bullying causes a substantial disruption to the educational process or orderly operation of a school. This paragraph (item #4) applies only in cases in which a school administrator or teacher receives a report that bullying through this means has occurred. It does not require the School District to monitor any non-school-related activity, function, or program.

The footnotes are not intended to be part of the adopted policy; they should be removed before the policy is adopted.

¹ All districts must have a policy on bullying (105 ILCS 5/27-23.7, amended by P.A.s 98-669 and 98-801 (eff. 1-1-2015)). Every 2 years, each district must review and re-evaluate this policy, make necessary and appropriate revisions, and file the updated policy with ISBE. This sample policy's first paragraph allows a school board to consider its goals for preventing bullying and remedying its consequences; it may be amended.

In addition to a bullying prevention policy, all districts must have a policy on student discipline (105 ILCS 5/10-20.14; 23 Ill.Admin.Code §1.280). Boards must, in consultation with their parent-teacher advisory committees and other community-based organizations, address aggressive behavior, including bullying, in their student discipline policy. See 7:190, *Student Discipline*; 7:190-E1, *Aggressive Behavior Reporting Letter and Form*.

² This paragraph and its subparts 1-4 are from the bullying prevention statute (105 ILCS 5/27-23.7(a); see also 775 ILCS 5/1-103 and 23 Ill.Admin.Code §1.240). The protected statuses are mandated by the bullying prevention statute; the list of protected statuses is identical to the list in 7:20, *Harassment of Students Prohibited*.

Legal Definitions (105 ILCS 5/27-23.7) 3

For the purposes of this Policy and as defined under the Illinois *School Code*, the terms used mean the following:

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 one or more of the following:

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 interfering with the student's or students' academic performance; or
4. Substantially interfering with the student's or students' ability to participate in or benefit from the services, activities, or privileges provided by a school.

Aggressive conduct toward other students that is not severe or pervasive shall not be deemed as bullying, but may constitute gross disobedience or misconduct leading to discipline under Board Policy 7:190, Student Discipline, of any student who engages in such behavior. Students who engage in bullying conduct also shall be disciplined under Board Policy 7:190.

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, photo-electronic system, or photo-optical 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*. *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*.

Restorative measures means a continuum of school-based alternatives to exclusionary discipline, such as suspensions and expulsions, that: (i) are adapted to the particular needs of the school and community, (ii) contribute to maintaining school safety, (iii) protect the integrity of a positive and productive learning climate, (iv) teach students the personal and interpersonal skills they will need to be successful in school and society, (v) serve to build and restore relationships among students, families, schools, and communities, and (vi) reduce the likelihood of future disruption by balancing accountability with an understanding of students' behavioral health needs in order to keep students in school.

School personnel means persons employed by, on contract with, or who volunteer in a school district, including without limitation school and school district administrators, teachers, school guidance counselors, school social workers, school counselors, school psychologists, school nurses, cafeteria workers, custodians, bus drivers, school resource officers, and security guards.

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³ All definitions are directly from 105 ILCS 5/27-23.7, amended by P.A.s 98-669 and 98-801 (eff. 1-1-2015).

Bullying Prevention and Response Plan

The Superintendent or designee shall develop and maintain a bullying prevention and response plan that advances the District's goal of providing all students with a safe learning environment free of bullying and harassment. This plan must be consistent with the requirements listed below, which reflect the; each numbered requirement, 1-12, corresponds with the same number in the list of required policy components in 105 ILCS 5/27-23.7(b) 1-12. ⁴

1. The District uses the definition of *bullying* as provided in this policy. ⁵
2. Bullying is contrary to State law and the policy of this District. However, nothing in the District's bullying prevention and response plan is intended to infringe upon any right to exercise free expression or the free exercise of religion or religiously based views protected under the First Amendment to the U.S. Constitution or under Section 3 of Article I of the Illinois Constitution.
3. Students are encouraged to immediately report bullying. A report may be made orally or in writing to the District Complaint Manager or any staff member with whom the student is comfortable speaking. ⁶ Anyone, including staff members and parents/guardians, who has information about actual or threatened bullying is encouraged to report it to the District Complaint Manager or any staff member. Anonymous reports also are also accepted and may be reported to the principal.
- 4.

Complaint Manager:	Complaint Manager:
Dr. Stephen Johns	Mrs. Elizabeth Keefe
18550 Millburn Road, Wadsworth, IL 60083	18550 Millburn Road, Wadsworth, IL 60083
sjohns@millburn24.net	ekeefe@millburn24.net
847-245-2920	847-245-2777

5. Consistent with federal and State laws and rules governing student privacy rights, the Superintendent or designee shall promptly inform the parents/guardians of every student involved in an alleged incident of bullying and discuss, as appropriate, the availability of social work services, counseling, school psychological services, other interventions, and restorative measures.

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⁴ As each numbered requirement, 1-12, corresponds with the same number in 5/27-23.7(b) 1-12, there are no reference citations in footnotes. All non-statutory requirements, plus alternatives and optional provisions, are described in footnotes.

⁵ A board may augment the School Code requirement by using this alternative:

Using the definition of *bullying* as provided in this policy, the Superintendent or designee shall emphasize to the school community that: (a) the District prohibits bullying, and (b) all students should conduct themselves with a proper regard for the rights and welfare of other students. This may include a process for commending or acknowledging students for demonstrating appropriate behavior.

⁶ The statute requires that the policy contain the email address and telephone number for the staff person(s) responsible for receiving bullying reports. Using the district Complaint Manager or Nondiscrimination Coordinator is consistent with 2:260, *Uniform Grievance Procedure*. A board may substitute or add the Nondiscrimination Coordinator, Building Principal, or other position in this paragraph and below with the contact information. A board may also add a telephone number for making anonymous reports.

⁷ 105 ILCS 5/10-20.14 contains a similar requirement. See 7:190-E1, *Aggressive Behavior Reporting Letter and Form*.

6. The Superintendent or designee shall promptly investigate and address reports of bullying, by, among other things:
 - a. Making all reasonable efforts to complete the investigation within **10 school days** after the date the report of a bullying incident was received and taking into consideration additional relevant information received during the course of the investigation about the reported bullying incident.
 - b. Involving appropriate school support personnel and other staff persons with knowledge, experience, and training on bullying prevention, as deemed appropriate, in the investigation process.
 - c. Notifying the Building Principal or school administrator or designee of the reported incident of bullying as soon as possible after the report is received.
 - d. Consistent with federal and State laws and rules governing student privacy rights, providing parents/guardians of the students who are parties to the investigation information about the investigation and an opportunity to meet with the Building Principal or school administrator or his or her designee to discuss the investigation, the findings of the investigation, and the actions taken to address the reported incident of bullying.

The Superintendent or designee shall investigate whether a reported incident of bullying is within the permissible scope of the District's jurisdiction and the District shall provide the victim with information regarding services that are available within the District and community, such as counseling, support services, and other programs. ⁸

7. The District shall use interventions to address bullying, that 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.
8. A reprisal or retaliation against any person who reports an act of bullying **is prohibited**. A student's act of reprisal or retaliation will be met with disciplinary consequences and appropriate remedial actions consistent with this and other Board Policies.
9. A student will not be punished for reporting bullying or supplying information, even if the District's investigation concludes that no bullying occurred. However, knowingly making a false accusation or providing knowingly false information will be met with disciplinary consequences and appropriate remedial actions consistent with this and other Board Policies.
10. The District's bullying prevention and response plan must be based on the engagement of a range of school stakeholders, including students and parents/guardians.
11. This policy shall be posted on the District's Internet website, if any; included in the student handbook; and, where applicable, posted where other policies, rules, and standards of conduct are currently posted. The policy also must be distributed annually to parents/guardians, students, and school personnel, including new employees when hired.
12. The District shall review and re-evaluate this Policy and make necessary and appropriate revisions every two years, and file its updated Policy with the Illinois State Board of Education. The Superintendent or designee shall assist the Board with its evaluation and assessment of this policy's outcomes and effectiveness. This process shall include, without limitation:
 - a. The frequency of victimization;
 - b. Student, staff, and family observations of safety at a school;

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⁸ This sentence contains requirements found in 105 ILCS 5/27-23.7(d), amended by P.A. 98-801 (eff. 1-1-2015).

- c. Identification of areas of a school where bullying occurs;
- d. The types of bullying utilized; and
- e. Bystander intervention or participation.

The evaluation process may include the use of relevant data and information that the District already collects for other purposes. The District shall post the information developed as a result of the policy evaluation on the District’s website, or if a website is not available, the information must be provided to school administrators, Board members, school personnel, parents/guardians, and students.

13. This Policy must be consistent with other Board policies.⁹

LEGAL REF.: 405 ILCS 49/, Children’s Mental Health Act.
105 ILCS 5/10-20.14, 5/24-24, and 5/27-23.7.
23 Ill.Admin.Code §§1.240 and §1.280.

CROSS REF.: 2:240 (Board Policy Development), 2:260 (Uniform Grievance Procedure), 4:170 (Safety), 5:230 (Maintaining Student Discipline), 6:60 (Curriculum Content), 6:65 (Student Social and Emotional Development), 6:235 (Access to Electronic Networks), 7:20 (Harassment of Students Prohibited), 7:185 (Teen Dating Violence Prohibited), 7:190 (Student Discipline), 7:220 (Bus Conduct), 7:230 (Misconduct by Students with Disabilities), 7:240 (Conduct Code for Participants in Extracurricular Activities), 7:285 (Food Allergy Management Program), 7:310 (Restrictions on Publications)

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⁹ The statute requires that the bullying policy *be consistent with* other board policies. The list of policies may be deleted and the following alternative used: “12. The District’s bullying prevention plan must be consistent with other Board policies.” If a policy list is included, be sure the referenced policies were adopted locally and amend the list accordingly.

The bullying statute does not identify staff member duties regarding the prevention or response to student bullying. The following optional provision addresses staff member responsibilities and may be added as a new paragraph 13:

- 13. The Superintendent or designee shall fully inform staff members of the District’s goal to prevent students from engaging in bullying and the measures being used to accomplish it. This includes each of the following:
 - a. Communicating the District’s expectation and State law requirement that teachers and other certificated or licensed employees maintain discipline.
 - b. Establishing the expectation that staff members: (1) intervene immediately to stop a bullying incident that they witness or immediately contact building security and/or law enforcement if the incident involves a weapon or other illegal activity, (2) report bullying, whether they witness it or not, to an administrator, and (3) inform the administration of locations on school grounds where additional supervision or monitoring may be needed to prevent bullying.
 - c. Where appropriate in the staff development program, providing strategies to staff members to effectively prevent bullying and intervene when it occurs.
 - d. Establishing a process for staff members to fulfill their obligation to report alleged acts of bullying.