Prevention of and Response to 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 and providing all students equal access to a safe, non-hostile learning environment are important District goals.

Bullying on the basis of actual or perceived race, color, religion, sex, national origin, ancestry, physical appearance, socioeconomic status, academic status, pregnancy, parenting status, homelessness, age, marital status, physical or mental disability, military status, sexual orientation, gender-related identity or expression, unfavorable discharge status from military service, association with a person or group with one or more of the aforementioned actual or perceived characteristics, or any other distinguishing characteristic **is prohibited** in each of the following situations:

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 nonschool-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 District or school if the bullying causes a substantial disruption to the education process or orderly operation of a school. This paragraph (item #4) applies only when a school administrator or teacher receives a report that bullying through this means has occurred; it does not require staff members to monitor any nonschool-related activity, function, or program.

Definitions from Section ~~27-23.7~~22-110 of the *School Code* (105 ILCS 5/~~27-23.7~~22-110)

Artificial intelligence means a machine-based system that, for explicit or implicit objectives, infers, from the input it receives, how to generate outputs such as predictions, content, recommendations, or decisions that can influence physical or virtual environments. *Artificial intelligence* includes generative artificial intelligence.

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.

Bullying may take various forms, including, without limitation, one or more of the following: harassment, threats, intimidation, stalking, physical violence, sexual harassment, sexual violence, posting or distributing sexually explicit images, theft, public humiliation, destruction of property, or retaliation for asserting or alleging an act of bullying. This list is meant to be illustrative and non-exhaustive.

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*. *Cyber-bullying* also includes the posting or distribution of an unauthorized digital replica by electronic means if the posting or distribution creates any of the effects enumerated in the definition of *bullying*.

Digital replica means a newly created, electronic representation of the identity of an actual individual created using a computer, algorithm, software, tool, artificial intelligence, or other technology that is fixed in a sound recording or audiovisual work in which that individual did not actually perform or appear and that is so realistic that a reasonable observer would believe it is a performance by the individual being portrayed and no other individual.

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, (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, and (vii) increase student accountability if the incident of bullying is based on religion, race, ethnicity, or any other category that is identified in the Ill. Human Rights Act.

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 social workers, school counselors, school psychologists, school nurses, cafeteria workers, custodians, bus drivers, school resource officers, and security guards.

Unauthorized digital replica means the use of a digital replica of an individual without the consent of the depicted individual.

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.

1. The District uses the definition of *bullying* as provided in this policy.

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 Nondiscrimination Coordinator, a Complaint Manager, Building Principal, Associate Building Principal, Assistant Building Principal, or any staff member with whom the student is comfortable speaking. Anyone, including staff members and parents/guardians, who has information about actual or threatened bullying is encouraged to report it to the District Nondiscrimination Coordinator, Title IX Coordinator, a Complaint Manager, or any staff member. The District named officials and all staff members are available for help with a bully or to make a report about bullying. Anonymous reports are also accepted; however, this shall not be construed to permit formal disciplinary action solely on the basis of an anonymous report.

Nondiscrimination Coordinator, Title IX Coordinator, and Complaint Manager:	Name: Address: Email: Telephone:	M. Curt Richardson 1809 W. Hovey Ave. Normal, IL 61761 richardmc@unit5.org (309) 557-4082
Complaint Managers:	Name: Address: Email: Telephone:	Heather Rogers 1809 W. Hovey Ave. Normal, IL 61761 rogersh@unit5.org (309) 557-4041
	Name: Address: Email: Telephone:	Dr. Kristal Shelvin 1809 W. Hovey Ave. Normal, IL 61761 shelvik@unit5.org (309) 557-4035
	Name: Address: Email: Telephone:	Dr. Brandon Caffey 1809 West Hovey Ave. Normal, IL 61761 caffeyb@unit5.org (309) 557-4027

4. Consistent with federal and State laws and rules governing student privacy rights, the parent(s)/guardian(s) of all students involved in an alleged incident of bullying will be notified of such, along with threats, suggestions, or instances of self-harm determined to be the result of bullying, within 24 hours after the school's administration is made aware of the student's involvement in the incident. As appropriate, the school's administration shall also discuss the availability of social work services, counseling, school psychological services, other interventions, and restorative measures. The school shall make diligent efforts to notify a parent or legal guardian, utilizing all contact information the school has available or that can be reasonable obtained by the school within the 24-hour period.

5. 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 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 shall require that the District provide the victim with information regarding services that are available within the District and community, such as counseling, support services, and other programs.

6. The Superintendent or designee 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.

7. A reprisal or retaliation against any person who reports an act of bullying **is prohibited**. Any person's act of reprisal or retaliation will be subject to disciplinary action, up to and including discharge with regard to employees, or suspension and/or expulsion with regard to students.

8. A student will not be punished for reporting bullying or supplying information, even if the District's investigation concludes that no bullying occurred. However, a person who is found to have falsely accused another of bullying, as a means of retaliation, as a means of bullying, or provided false information will be treated as either: (a) *bullying*, (b) student discipline up to and including suspension and/or expulsion, and/or (c) both (a) and (b) for purposes of determining any consequences or other appropriate remedial actions.

9. 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.

10. The Superintendent or designee shall post this policy on the District's publicly accessible website, if any, and include it in the student handbook, and, where applicable, post it where other policies, rules, and standards of conduct are currently posted. The policy must also be distributed annually to parents/guardians, students, and school personnel (including new employees when hired), and must also be provided periodically throughout the school year to students and faculty.

11. Pursuant to State law and Board Policy 2.240, *Board Policy Development*, the Board monitors this policy every two years by conducting a review and re-evaluation of this policy to make any necessary and appropriate revisions. The Superintendent or designee shall assist the Board with its re-evaluation and assessment of this policy's outcomes and effectiveness. Updates to this policy will reflect any necessary and appropriate revisions. This process shall include, without limitation:

a. The frequency of victimization;

b. Student, staff, and family observations of safety at a school;

c. Identification or areas of a school where bullying occurs;

d. The types of bullying utilized; and

e. Bystander intervention or participation.

The evaluation process may use relevant data and information that the District already collects for other purposes. Acceptable documentation to satisfy the re-evaluated policy submission include one of the following:

1) An updated version of the policy with the amendment/modification date included in the reference portion of the policy;
2) If no revisions are deemed necessary, a copy of Board minutes indicating that the policy was re-evaluated and no changes were deemed to be necessary; or
3) A signed statement from the Board President indicating that the Board re-evaluated the policy and no changes to it were necessary.

The Superintendent or designee must post the information developed as a result of the policy re-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. Reviews and re-evaluations in years they are due must be submitted to ISBE by September 30.

12. The Superintendent or designee shall fully implement the Board policies, including without limitation, the following:

a. 2.260, *Uniform Grievance Procedure.* A student may use this policy to complain about bullying.

b. 2.265, *Title IX Grievance Procedure*. Any person may use this policy to complain about sexual harassment in violation of Title IX of the Education Amendments of 1972.

c. 2.270, *Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited*. Any person may use this policy to complain about discrimination or harassment on the basis of race, color, or national origin in violation of Title VI of the Civil Rights Act of 1964 and/or the Illinois Human Rights Act.

d. 6.60, *Curriculum Content.* Bullying prevention and character instruction is provided in all grades in accordance with State law.

e. 6.65, *Student Social and Emotional Development.* Student social and emotional development is incorporated in the District's educational program as required by State law.

f. 6.235, *Access to Electronic Networks.* This policy states that the use of the District's electronic networks is limited to: (1) support of education and/or research, or (2) a legitimate business use.

g. 7.20, *Harassment of Students Prohibited.* This policy prohibits *any* person from harassing, intimidating, or bullying a student based on an actual or perceived characteristic (the list of characteristics in 7.20 is the same as the list in this policy).

h. 7.185, *Teen Dating Violence Prohibited.* This policy prohibits teen dating violence on school property, at school sponsored activities, and in vehicles used for school-provided transportation.

i. 7.190, *Student Behavior.* This policy prohibits, and provides consequences for, hazing, bullying, or other aggressive behaviors, or urging other students to engage in such conduct.

j. 7.310, *Restrictions on Publications; Elementary and Junior High Schools.* This policy prohibits students from, and provides consequences for: (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.

13. The Superintendent or designee will report all individual instances of bullying, as well as all threats, suggestions, or instances of self-harm determined to be the result of bullying, to the parents or legal guardians of those involved under the guidelines provided in paragraph (4) of this definition.

LEGAL REF.: 105 ILCS 5/10-20.14, 5/10-22.6(b-20), 5/22-110, and 5/24-24.
405 ILS 49/, Children's Mental Health Act.
775 ILCS 5/1-103, Ill. Human Rights Act.
23 Ill. Admin. Code §§1.240, 1.280, and 1.295.

CROSS REF.: 2.240 (Board Policy Development), 2.260 (Uniform Grievance Procedure), 2.265 (Title IX Grievance Procedure), 2.270 (Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited), 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 Behavior), 7.220 (Bus Conduct), 7.230 (Misconduct by Students with Disabilities), 7.240 (Conduct Code for Participants in Co-Curricular Activities), 7.285 (Anaphylaxis Prevention, Response, and Management Program), 7.310 (Restrictions on Publications; Elementary and Junior High Schools), 7.315 (Restrictions on Publications; High Schools)