

NEW POLICY - VOL. 20, NO. 1

PREVENTION OF AND RESPONSE TO BULLYING
AND AGGRESSIVE BEHAVIOR

The Board of Education concurs with the finding of the General Assembly that bullying causes physical, psychological, and emotional harm to students and interferes with students' ability to learn and participate in school activities. Bullying is contrary to State law and the policy of this School District. Bullying will not be tolerated in the District, and students who engage in bullying behavior will be subject to serious discipline up to suspension or expulsion from school. When deemed appropriate by the District administration, restorative measures rather than exclusionary discipline may be taken to address bullying behavior. Further, the Board of Education believes in the early identification of students who are at risk for aggressive behavior so that it may better be prevented.

Definitions

“Bullying,” includes cyber-bullying and is defined as: 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:

- A. placing the student or students in reasonable fear of harm to the student’s person or property
- B. causing a substantially detrimental effect on the student’s physical or mental health
- C. substantially interfering with the student’s academic performance, or
- D. substantially interfering with the student’s ability to participate in or benefit from the services, activities, or privileges provided by a school

Bullying, as defined herein, may take various forms, including but not limited to 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. 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, 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 Section. “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 Section.

“Restorative measures” means a continuum of school-based alternatives to exclusionary discipline, such as suspensions and expulsions, that (1) are adapted to the particular needs of the school and community, (2) contribute to maintaining school safety, (3) protect the integrity of a positive and productive learning climate, (4) teach students the personal and interpersonal skills they will need to be successful in school and society, (5) serve to build and restore relationships among students, families, schools, and communities, and (6) reduce the likelihood of future disruption by balancing accountability with an understanding of students’ behavioral health needs in order to keep students in school.

Prohibited Conduct

Bullying on the basis of actual or perceived race, color, religion, sex, national origin, ancestry, age, marital status, physical or mental disability, military status, sexual orientation, gender-related identity or expression, unfavorable discharge 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 the school district.

No student shall be subjected to bullying:

- A. during any school-sponsored education program or activity;
- B. 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;
- C. through the transmission of information from a school computer, a school computer network, or other similar electronic school equipment; or
- D. 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 a school district or school if the bullying causes a substantial disruption to the educational process or orderly operation of a school. This item **(D)** applies only in cases in which a school administrator or teacher receives a report that bullying through this means has occurred and does not require a district or school to staff or monitor any nonschool-related activity, function, or program.

Bullying Prevention and Response Plan

Reporting and Complaint Investigation Procedures:

Any student who believes that he/she has been or is the victim of bullying should immediately report the situation to the Principal and/or the following staff person:

(Name)

(Name)

(School District Title)

(School District Title)

(Telephone Number)

(Telephone Number)

(Office Address)

(Office Address)

BOARD OF EDUCATION

(E-mail Address)

SCHOOL DISTRICT

(E-mail Address)

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Assistant Superintendent for Human Resources

Coultrap Educational Services Center

227 N. 4th St.

Geneva, IL 60134

Phone: (630) 463-3050

Email: genadmin@geneva304.org

The student may also report concerns to a teacher or counselor who will be responsible for notifying the Principal or other staff person listed above. Complaints against the Principal should be filed with the Superintendent. Complaints against the Superintendent should be filed with the Board President.

Every student is encouraged to report any situation that he/she believes to be bullying behavior directed toward a student.

All school staff members and school officials who observe or become aware of acts of bullying are required to report these acts to the Principal, staff person listed above, or the Superintendent.

Reports of bullying may be made verbally or in writing and may be made confidentially. All such reports, whether verbally or in writing, will be taken seriously, and a clear account of the incident is to be documented. A written record of the report, including all pertinent details, will be made by the recipient of the report.

All complaints of alleged bullying shall be investigated promptly by the Principal or his/her designee. The Principal or designee shall determine, as an initial step in the investigation, whether a reported act of bullying is within the permissible scope of the District's or school's jurisdiction.

Although certain cases may require additional time, the Principal or designee will attempt to complete an investigation into the allegations of harassment within ten (10) school days of receiving the formal complaint. The investigation will include:

- A. interviews with the complainant;
- B. interviews with the respondent;
- C. interviews with any other witnesses who may reasonably be expected to have any information relevant to the allegations;

- D. consideration of any other information that is necessary to determine the facts and seriousness of the report, including any documentation or other evidence presented by the complainant, respondent, or any other witness which is reasonably believed to be relevant to the allegations;
- E. meeting with the parents/guardians of the students involved, if consistent with Federal and State privacy laws, to discuss the results of the investigation and any actions taken to address the incident.

If, during an investigation of a reported act of bullying in accordance with this Policy, the Principal or designee determines that the reported misconduct may have created a hostile learning environment and may have constituted harassment based on Protected Characteristics (as defined in Policy 5517), the Principal shall report the act of bullying and/or aggressive behavior to ~~one of~~ the Compliance Officers who shall assume responsibility to investigate the allegation in accordance with Policy 5517 – Student Anti-Harassment. While the Compliance Officer investigates the allegation, the Principal shall suspend his/her Policy 5517.01 investigation to await the Compliance Officer’s written report. The Compliance Officer shall keep the Principal informed of the status of the Policy 5517.01 investigation and provide him/her with a copy of the resulting written report.

Parents/guardians of all students involved in an alleged incident ~~of~~ **of** bullying will be notified prior to the conclusion of the investigation. Parents/guardians shall also be informed, if appropriate, of the availability of services within the District and community, such as school social work services, counseling, school psychological services, community-based services, other interventions, and restorative measures to address the issue. The District shall maintain the confidentiality of the report and any related student records as required by law.

Retaliation or Reprisal

There shall be no reprisal or retaliation against anyone who reports an act of bullying, and any student who retaliates against a reporter shall be subject to discipline up to and including suspension or expulsion from school. Likewise, any student who is found to have falsely accused another of bullying shall be subject to appropriate discipline including possible suspension or expulsion from school.

Nothing in this policy 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 United States Constitution or under Section 3 of Article I of the Illinois Constitution.

Prevention of and Response to Aggressive Behavior

~~Students who are identified by the designated behavior committee to have demonstrated behaviors that put them at risk for aggressive behavior or who have demonstrated a pattern of aggressive behavior shall be referred to the behavior committee.~~

The Superintendent, ~~in consultation with the parent teacher advisory committee~~ **in consultation with District administrators**, will establish a ~~behavior committee~~ **building-level problem-solving teams and a Threat Assessment Team** and will develop procedures by which a teacher can refer a student **can be referred** to a ~~behavior committee~~ and procedures by which **either** the ~~committee~~ **team** shall consider a referral. The ~~committee~~ **Either team** shall **can** review the conduct and behavior of the student to determine if the student's conduct and behavior is of such a nature and degree that the student should be referred to the school Principal as a student at risk for aggressive behavior pursuant to this policy. The school Principal will follow the procedures outlined in AG 5600A.

Students who are identified by the designated behavior committee to **as** have **having** demonstrated behaviors that put them at risk for aggressive behavior or who have demonstrated a pattern of aggressive behavior shall be referred to the ~~behavior committee~~ **Threat Assessment Team or the building-level problem-solving team, as appropriate.**

The Principal shall promptly notify the student and student's parent/guardian and shall attempt to schedule a conference with the parents or guardian to discuss the referral and recommend early intervention procedures that are deemed appropriate, based on available resources in the District and the community.

A student may also be subject to disciplinary action for engaging in aggressive behavior, including but not limited to bullying. Disciplinary action may include expulsion, suspension, or other appropriate discipline.

~~The School Board, in consultation with a parent teacher advisory committee~~ **The Superintendent, in consultation with District administrators**, must develop provisions in the **Student Discipline Code and Code of Conduct (the Student Handbook is available on the District website)** that address students who have demonstrated behaviors that put them at risk of aggressive behavior, including bullying as defined above.

Review of Policy, Procedures, and Effectiveness

This Policy and its procedures shall be reviewed and evaluated not less often than every two years to assess the effectiveness and outcomes of the policy. This review

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shall be conducted by appropriate staff, students, parents and other stakeholders designated by the Superintendent or his designee. The review is to consider appropriate information including, but not necessarily limited to, the number of cases; student, staff, and family observations of safety at school; the types of bullying; the area within the school that bullying occurs; the effectiveness of discipline and restorative measures; and bystander intervention. The results of this review shall be made available on the District's web site.

Notification

Notice of this Policy will be annually distributed to all students enrolled in the School District, their parents and/or guardians and employees. It shall also be posted on the District's website and included in the Student Handbook.

105 ILCS 5/27-23.7

To Policy Committee 4/27/15, O'Neil

To Board 5/11/2015 1st Reading