

## **7:20 - Harassment of Students Prohibited**

Aggressive behavior includes behavior in which an individual student or a group of students, through the improper use of real or perceived power, or the use of threats, extortion, exclusion, or by any other method, inflicts, attempts, or intends to inflict, either physical or psychological suffering on another student or group of students.

Bullying is defined as any severe or pervasive physical or verbal act or conduct, including communications made in writing or electronically, directed towards 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.

Physical bullying includes but is not limited to punching, shoving, poking or hair pulling. Verbal or psychological bullying includes but is not limited to name calling, teasing, gossip, humiliation, threats, manipulating social relationships, engaging in social exclusion, or other similar behaviors, whether engaged directly toward the target of such behavior, or through third parties.

Cyberbullying includes the use of electronic information and communication devices, including but not limited to, e-mail messages, instant messaging, text messaging, cellular telephone communications, internet blogs, internet chat rooms, internet postings, and social networks or other Web sites to bully another student or students. Students who engage in cyberbullying shall be subject to discipline if such conduct occurs on District property or at a District event, if the electronic information was created or received on District property. Students who engage in cyberbullying may be subject to discipline if the conduct has the effect of substantially disrupting the orderly operation of the school, or otherwise has a nexus to school activity.

Harassment is defined as creating a hostile educational environment for another student, through verbal, electronic or written communication, gestures and/or conduct directed at the student whether due to race, religion, sex, national origin, disability, sexual orientation, or other characteristic, or solely on an individual basis. Sexual harassment is further defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature in the educational environment. Sexual harassment is both against board policy and may be a violation of the law. Students, both male and female, are prohibited from harassing fellow students, staff, or others on school property, during school activities, or in any situation which creates a nexus to school.

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 also prohibited.

No student shall be subjected to harassing, intimidating conduct, or bullying whether verbal, physical, or visual that occurs:

1. During any school-sponsored education program or activity, 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;
2. Through the transmission of information from a school computer, a school computer network, or other similar electronic school equipment; or
3. In any other way or place that has a "nexus" to school or school activities; in other words, harassing conduct, intimidating conduct or bullying is prohibited even when occurring outside of school or a school activity if that conduct interferes with, may reasonably be forecast to disrupt, actually disrupts, or adversely affects the school environment, school operations, or an educational function.

Bullying may involve any of the following: physical, verbal, or psychological attacks, intimidation, sexual harassment or sexual violence directed against another individual or writings, messages or pictures delivered using multi-media communications or devices, harassment, threats, stalking, theft, public humiliation, destruction of property, or retaliation for asserting or alleging an act of bullying.

If the school becomes aware of aggressive behavior, bullying, or harassment, actions will be taken in response to situations that are likely to cause disruption in the school.

### Intervention Procedures

Aggressive behavior, bullying, or harassment, constitutes gross disobedience or misconduct pursuant to board policy leading to disciplinary action. Students who engage in aggressive behavior, bullying, or harassment will be subject to discipline in accordance with the board's general student discipline policy. If bullying is found to be based on a student's status or protected characteristic, the matter may be treated as an act of discrimination or harassment as well, and may be subject to disciplinary action.

Discipline may include, but is not limited to, verbal or written reprimand, in-school suspension, change of placement, out-of-school suspension or expulsion, and/or consequences associated with violation of the extracurricular code. Parental notification of discipline will be made in accordance with the district's disciplinary procedures and state law. Students who engage in aggressive behavior may also be referred to the building intervention team (student support team) for assistance, such as counseling or other supportive services from school or community agencies. Parents will be advised of this referral and any action that is taken or suggested by the team.

Students who are victims of aggressive behavior, bullying or harassment may be referred to the building intervention team for assistance, such as counseling or other supportive services from school or community agencies. Parents will be advised of this referral and any action that is taken or suggested by the team.

In addition, school personnel will monitor and identify students who exhibit behaviors that indicate a tendency toward aggressive behavior, bullying or harassment. School personnel who identify students who have demonstrated behaviors that put them at risk for aggressive behavior, bullying or harassment will refer the students to the building intervention team. Parents will be advised of this referral and any action that is taken or suggested by the team.

Upon receipt of a referral for any of the above students, the building intervention team will monitor the student, review any non-school, community-based interventions available for the student and consider necessary school based interventions. If the student is currently receiving services as a student with a disability, the student's IEP or Section 504 team, when appropriate, may assume the functions of the intervention teams.

Bullying prevention and instruction on what behaviors constitute prohibited bullying shall be taught in accordance with state law and board policy instruction and curriculum content.

This policy shall be annually communicated to students and their parents/guardians and shall be updated every two years and filed with the Illinois State Board of Education after updating.

The superintendent shall have the authority to promulgate administrative procedures implementing this policy.

#### LEGAL REF.:

[20 U.S.C. §1681](#) *et seq.*, 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](#) *et seq.*, Illinois Human Rights Act.

[23 Ill.Admin.Code §1.240](#) and [Part 200](#).

[\*Davis v. Monroe County Board of Education\*](#), 119 S.Ct. 1661 (1999).

[\*Franklin v. Gwinnett Co. Public Schools\*](#), 112 S.Ct. 1028 (1992).

[\*Gebser v. Lago Vista Independent School District\*](#), 118 S.Ct. 1989 (1998).

[\*West v. Derby Unified School District No. 260\*](#), 206 F.3d 1358 (10th Cir., 2000).

CROSS REF.: [2:260](#) (Uniform Grievance Procedure), [5:20](#) (Workplace Harassment Prohibited), [7:10](#) (Equal Educational Opportunities), [7:180](#) (Preventing Bullying, Intimidation, and Harassment), [7:190](#) (Student Discipline)

ADOPTED: March 19, 2013