

# Chicago Public Schools Policy Manual

<b>Title:</b>	<b>ANTI-BULLYING POLICY (Adopted under the Student Code of Conduct for the 2012-2013 School Year)</b>		
<b>Section:</b>	<b>705.5A</b>		
<b>Board Report:</b>	<b>12-0627-PO1</b>	<b>Date Adopted: June 27, 2012</b>	

## **Policy:**

### **ANTI-BULLYING POLICY**

#### **Purpose**

The Illinois General Assembly has found that a safe and civil school environment is necessary for students to learn and achieve and that bullying causes physical, psychological, and emotional harm to students and interferes with their ability to learn and participate in school activities. Bullying has been linked to other forms of antisocial behavior, such as vandalism, shoplifting, skipping and dropping out of school, fighting, using drugs and alcohol, and sexual harassment and violence. It is the goal of the Chicago Board of Education ("Board") to create a learning environment in all its school communities where students are protected from bullying so they feel safe and supported in their efforts to succeed academically and develop emotionally into responsible, caring individuals.

The Board asks every Chicago Public School ("CPS") student, with the support of his/her parent(s), guardian(s) and the adults at school, to commit to the following principles, which will apply to everyone on school property and at school-related activities:

- I will not bully others.
- I will try to help anyone I suspect is being bullied.
- I will work to include students who are left out.
- If someone is being bullied, I will tell an adult at school and an adult at home.

#### **Scope**

This policy protects CPS students against bullying and harassment 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. The Board recognizes the particular vulnerability of students with actual or perceived disabilities and those who identify as or are perceived to be lesbian, gay, bisexual or transgender.

Bullying is prohibited:

- (1) during any school-sponsored or school-sanctioned program or activity;
- (2) in school, on school property, on school buses or other Board-provided transportation, and at designated locations for students to wait for buses and other Board-provided transportation ("bus stops");
- (3) through the transmission of information from a CPS computer or computer network, or other electronic school equipment;
- (4) when communicated through any electronic technology or personal electronic device while on school property, on school buses or other Board-provided transportation, at bus stops, and at school-sponsored or school-sanctioned events or activities;
- (5) when it is conveyed that a threat will be carried out in a school setting, including threats made outside school hours with intent to carry them out during any school-related or sponsored program or activity or on Board-provided transportation;
- (6) when it is a Student Code of Conduct ("SCC") Group 5 or 6 offense that occurs off campus but seriously disrupts any student's education.

#### **Definitions**

**"Bullying"** 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 one or more of the following effects:

- (1) placing the student in reasonable fear of harm to the student's person or property;
- (2) causing a substantially detrimental effect on the student's physical or mental health;
- (3) substantially interfering with the student's academic performance; or
- (4) substantially interfering with the student's 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, 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.

**“Cyberbullying”** means using information and communication technologies to bully.

**“Retaliation”** means any form of intimidation, reprisal or harassment directed against a student who reports bullying, provides information during an investigation, or witnesses or has reliable information about bullying.

**“Peer Conflict”** means disagreements and oppositional interactions that are situational, immediate and developmentally appropriate. When school employees are aware of peer conflict, they are expected to guide students in developing new skills in social competency, learning personal boundaries and peaceably resolving conflict, and to model appropriate social interactions. These interventions are designed to prevent Peer Conflict from escalating to Bullying.

### **Intervening to Address Bullying**

#### **Responsibilities of CPS Employees and Contractors**

All CPS employees and contractors, including security officers, lunchroom staff and bus drivers, who witness incidents of bullying or school violence or who possess reliable information that would lead a reasonable person to suspect that a person is a target of bullying, must:

- (1) intervene immediately in a manner that is appropriate to the context and ensures the safety of all people involved;
- (2) report the incident of bullying or retaliation to the Principal/Designee as soon as practicable, but within 24 hours, on the CPS Bullying Complaint Form (Attachment A);
- (3) cooperate fully in any investigation of the incident and in implementing any safety plan established by the Principal/Designee.

#### **Responsibilities of Students, Parents and Guardians**

No student who witnesses bullying may stand by or participate in the bullying, but must notify an adult at school and an adult at home as quickly as practicable. Any parent or guardian who witnesses or is notified of bullying has an obligation to advise the Principal/Designee as quickly as practicable. Reports can be made to any CPS employee or contractor in person, by completing Attachment A and submitting it to the Principal/Designee, or by calling the CPS Violence Prevention Hotline (“Hotline”) at 1-888-881-0606. Anonymous reports will be accepted by the Principal/Designee and Hotline. No disciplinary action will be taken on the sole basis of an anonymous report.

#### **Investigation**

- (1) The Principal shall select a designee, employed by the school and trained in investigative procedures, to perform the investigation.
- (2) Investigation of a bullying incident shall be initiated within five school days of receipt of a report and completed within 10 school days, unless the Principal grants in writing an additional 5-day extension due to extenuating circumstances. The Principal/ Designee shall document the extension in the investigation report and shall notify the parties involved.
- (3) The investigation shall include:
  - a. Identifying the perpetrator(s), target(s) and bystander(s), as well as any adult who witnessed the incident or may have reliable information about it;
  - b. Conducting an individual interview in a private setting with the alleged perpetrator and target. The alleged perpetrator and target should never be interviewed together or in public. Individual interviews shall also be conducted in private with student and adult bystanders.
  - c. Determining how often the conduct occurred, any past incident or continuing pattern of behavior, and whether the target’s education was affected.

- d. Assessing the individual and school-wide effects of the incident relating to safety, and assigning school staff to create and implement a safety plan that will restore a sense of safety for the target and other students who have been impacted.
  - e. When appropriate, preparing a Misconduct Report identifying his/her recommendation for individual consequences.
  - f. Comprehensively documenting the details of the investigation.
- (4) When the investigation is complete, the Principal/Designee shall ensure the investigation report is attached to the Incident Report in IMPACT.

#### Notification

On the same day the investigation is initiated, the Principal/Designee shall report to the parent/legal guardian of all involved students, via telephone, personal conference and/or in writing, the occurrence of any alleged incident of bullying, and shall document these notifications in the Incident Report in IMPACT.

If the investigation results in the imposition of consequences, the Principal/Designee may advise the parent/legal guardian of students other than the perpetrator that the Student Code of Conduct was followed. S/he may not advise them of the specific consequence imposed, as that would violate the confidentiality of school-record information required by law.

When communicating incidents of bullying to the target's parent/guardian, the Principal/Designee should consider whether the student may want to keep certain information confidential. For example, if a student is bullied after coming out as gay, the Principal/Designee shall not disclose the student's sexual orientation to the parent/guardian without the student's permission, unless there is a legitimate, school-related reason for doing so.

If the target is a student with a disability that affects social skill development or makes the student vulnerable to bullying, the Principal/Designee shall ask the student's IEP Team to consider whether the IEP should include provisions to develop the student's skills and proficiencies to avoid and respond to bullying. In cases where the target or the student engaging in bullying behavior has a disability, the Principal/Designee shall comply with all laws regarding consequences for students with disabilities.

#### Imposing Consequences

Many Peer Conflicts can be resolved immediately and do not require reporting or creation of a Misconduct or Incident Report. If, however, a conflict is ongoing and meets the definition of bullying, the investigation procedures in this policy must be followed.

Schools must respond to bullying in a manner tailored to the individual incident, considering the nature of the behavior, the developmental age of the student, and the student's history of problem behaviors and performance. Appropriate responses and consequences are outlined in the Student Code of Conduct. Schools should avoid using punitive discipline (detention, suspensions, and expulsions) if any other method or consequence can be used with fidelity. Contact the Department of Youth Development and Positive Behavior Supports for school-wide prevention practices and the CPS Law Department for more information about the appropriate and legal consequences for student misconduct.

When an investigation determines that bullying occurred, the Principal/Designee shall explain the consequences in a non-hostile manner, and shall impose any consequence immediately and consistently. The Principal/Designee shall keep communicating and working with all parties involved until the situation is resolved. Some key indicators of resolution include:

- The perpetrator is no longer bullying and is interacting civilly with the target.
- The target reports feeling safe and is interacting civilly with the perpetrator.
- School staff notice an increase in positive behavior and social-emotional competency in the perpetrator and/or the target.
- School staff notice a more positive climate in the areas where bullying incidents were high.

#### What Not To Do:

-Solicit an apology from the perpetrator to the target, use peace circles, victim/offender conferences, or any form of mediation that puts the perpetrator and target in contact with one another in an immediate attempt to resolve the bullying. Research shows that bullies often lack empathy so their attempt at expressing remorse may not be genuine. Restorative approaches may be helpful but only if used after other interventions have balanced the power differential between the perpetrator and target.

-Dismiss bullying as typical student behavior or assume it is not serious.

#### Referrals

Interventions with bullies should not focus on feelings, but changing thinking. The Principal/Designee shall refer students who bully to positive-behavior small-group interventions (for anger management, trauma or social skills) within the school, if possible, to reinforce the behavioral expectation they violated and increase their social-emotional competency.

The targets of bullying need protection from bullies, but may also need support and help in changing their own behavior. The Principal/Designee shall ask a school mental health professional to refer these students to individual or group therapy where they can openly express their feelings about their bullying experience, or social-skills training and/or groups where they can practice assertiveness and coping mechanisms.

#### Appeal

Any party who is not satisfied with the outcome of the investigation may appeal to the Equal Opportunity Compliance Office (EOCO) within 15 calendar days of notification of the Principal's decision. The EOCO Administrator shall render a final determination in accordance with the timeline and procedures set out in the anti-bullying appeal guidelines established by the EOCO. The EOCO may return the incident to the Network Chief, Principal or their designees for further investigation or reconsideration of the consequence(s), direct the imposition of other consequence(s), or deny the appeal. The EOCO shall notify the party requesting the appeal and the Principal that its decision is final and shall document that notification in the Incident Report in IMPACT.

#### Consequences for CPS Employees and Contractors

When it is determined that an employee or contractor was aware that bullying was taking place but failed to report it, the employee/contractor will be considered to have violated this policy. The Principal shall consider employee discipline for such violations in accordance with the Employee Discipline and Due Process Policy and remedies with respect to contractors will be in accordance with their Board contract.

#### Notice and Dissemination of Requirements

Principals shall follow the requirements established by the Department of Youth Development and Positive Behavior Support for posting this Anti-Bullying Policy on the school's website, in the school building as well as disseminating and presenting this Policy to school staff as part of pre-school-year professional development.

#### Training and Professional Development

##### Staff

In the 2012-2013 school year, the Departments of Talent, Youth Development and Positive Behavior Support and Law will work together to determine how to provide mandatory professional development to build the skills of all CPS employees contractors and volunteers to implement this policy. The content of such professional development shall include, but not be limited to:

- (1) Developmentally appropriate strategies to prevent incidents of bullying and to intervene immediately and effectively to stop them;
- (2) Information about the complex interaction and power differential that can take place between and among a perpetrator, target, and witness to the bullying;

- (3) Research findings on bullying, including information about specific categories of students who have been shown to be particularly at risk, and any specific interventions that may be particularly effective for addressing bias-based bullying;
- (4) Information about Internet safety issues as they relate to cyberbullying.

#### Student Internet Safety Education

In accordance with the Board's Internet Safety Policy, each school shall incorporate into the school curriculum a component on Internet safety to be taught at least once each school year to all students. The Chief Education Officer or designee shall determine the scope and duration of this unit of instruction and topics covered. At a minimum, the unit of instruction shall address: (a) safety on the Internet; (b) appropriate behavior while online, on social networking Web sites, and in chat rooms; and (c) cyberbullying awareness and response. The age-appropriate unit of instruction may be incorporated into the current courses of study regularly taught. Schools shall satisfy the documentation requirements established by the Chief Education Officer or designee to ensure compliance with this curricular requirement.

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**Amends/Rescinds:**

**Cross References:** 12-0627-PO1 (Student Code of Conduct for the 2012-2013 School Year)

**Legal References:**

**ATTACHMENT A**  
Chicago Public Schools  
Form for Reporting Bullying and Retaliation

NOTE: The reporter may remain anonymous, but no discipline will be imposed based solely upon an anonymous report.

**Victim or Target Information**

School: \_\_\_\_\_

Name(s) and grade(s) of Victim/Target: \_\_\_\_\_

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**Reporting Information (\*Optional for students/parents/guardians)**

Name & Title of Person Reporting: \_\_\_\_\_

Relationship to Victim/Target: \_\_\_\_\_

Phone: \_\_\_\_\_ Email Address: \_\_\_\_\_

**Incident Information**

Name(s) of accused bully(ies) OR description (if name(s) unknown): \_\_\_\_\_

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Location of incident: \_\_\_\_\_

Date and time of incident: \_\_\_\_\_

Describe what happened and who was present in as much detail as possible (\*Required Information):

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Please submit this report to the principal or any school staff member. You may also call the Student Safety Hotline (1-888-881-0606) to make a report.

Date of submission: \_\_\_\_\_