



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, sexual harassment, and violence. It is the goal of the Board of Directors (the Board) of ABLE academy (ABLE) 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.

ABLE asks every 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

Bullying is contrary to Illinois law and this Policy is consistent with the Illinois School Code. This Policy protects ABLE 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. Nothing in this Policy is intended to infringe upon any expression protected by the First Amendment to the United States Constitution or Section 3 of Article I of the Illinois Constitution.

This Policy is based on the engagement of a range of school stakeholders, including students and parents/guardians. The Board or its designee will re-evaluate this Policy every two (2) years based on an assessment of its outcomes and effectiveness, including, but not limited to, factors such as the frequency of victimization; student, staff and family observations of safety at school; identification of areas of a school where bullying occurs; the types of bullying utilized; and bystander intervention or participation.

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 ABLE-provided transportation, and at designated locations for students to wait for buses and other ABLE-provided transportation;
- (3) through the transmission of information from a ABLE 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 provided transportation, 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 provided transportation;

Definitions from 105 ILCS 5/27-23.7

“Bullying” includes *cyberbullying* and means any severe or pervasive (repeated over time) 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.

Cyberbullying 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, and facsimile communications. *Cyberbullying* 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 causes any of the effects enumerated in the definition of bullying. *Cyberbullying* 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.

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.

Bullying behaviors may also qualify as other inappropriate behaviors. When deciding whether inappropriate behavior constitutes bullying, administrators should consider the student's intent, the frequency or recurrence of the inappropriate behavior, and whether there are power imbalances between the students involved. While bullying is often characterized by repeated acts, sometimes a single incident constitutes bullying depending on the student's intent and power imbalances.

Retaliation means any form of intimidation, reprisal including but not limited to the submission of knowingly false bullying allegations, or harassment directed against a student who reports bullying, provides information during an investigation, or witnesses or has reliable information about bullying. Retaliation is prohibited and will result in the imposition of appropriate interventions/consequences according to this Policy.

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.

Restorative Measures means a continuum of school-based alternatives to exclusionary discipline that are adapted to the particular needs of the school and community, contribute to maintaining school safety, protect the integrity of a positive and productive learning climate, teach students the personal and interpersonal skills they will need to be successful in school and society, serve to build and restore relationships among students, families, schools, and communities, and reduce the likelihood of future disruption by balancing accountability with an understanding of students' behavioral health needs.

Intervening to Address Bullying

Responsibilities of ABLE Employees and Contractors

All ABLE 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 Executive Director as soon as practicable, but within 24 hours, on the Bullying Complaint Form (Attachment A); and
- (3) cooperate fully in any investigation of the incident and in implementing any safety plan established by the Executive Director .

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 Executive Director as quickly as practicable. Reports can be made to any ABLE employee or contractor in person, by completing Attachment A and submitting it to the Executive Director . No disciplinary action will be taken on the sole basis of an anonymous report.

Bullying Prevention and Response Plan

The ABLE Board or designee shall develop and maintain a bullying prevention and response plan that advances the school's goal of providing all students with a safe learning environment free of bullying and harassment. This plan must be consistent with the following requirements:

1. Using the definition of bullying as provided in this policy, the ABLE Board or designee shall emphasize to the school community that: (1) the School prohibits bullying, and (2) 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.
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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 Nondiscrimination Coordinator, Executive Director, Director, Classroom teacher, 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 ABLE named officials or any staff member. ABLE's 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.
4. 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 treated as bullying for purposes of determining any consequences or other appropriate remedial actions.
5. 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 treated as bullying for purposes of determining any consequences or other appropriate remedial actions.
 6. See section titled **"Investigation"** for the specific process for investigating complaints of bullying.

Investigation

- (1) The Executive Director shall select a designee, knowledgeable about bullying prevention and intervention, 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.
- (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 Executive Director shall ensure the investigation report is attached to the Bullying Complaint.

Notification

Consistent with federal and state laws and rules governing student privacy rights, on the same day the investigation is initiated, the Executive Director 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. When the investigation is complete, the Executive Director shall notify the parents/legal guardians of all students involved of the outcome of the investigation. Parents/legal guardians of the students who are parties to the investigation may request a personal conference with the Executive Director to discuss the investigation, the findings

of the investigation, the actions taken to address the reported incident of bullying, and any resources available in or outside the school to help the students address the underlying reasons for the bullying (see “Referrals” section below).

If the investigation results in the imposition of consequences, the Executive Director may advise the parent/legal guardian of students other than the perpetrator this Policy 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 Executive Director 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 Executive Director 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, the school shall convene the IEP Team to determine whether additional or different special education or related services are needed to address the student’s individual needs and revise the IEP accordingly. For example, if the student’s disability affects social skill development or makes the student vulnerable to bullying, the Executive Director 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.

If the student who engaged in bullying behavior is a student with a disability, the school shall convene the IEP Team to determine if additional supports and services are needed to address the inappropriate behavior and consider examining the environment in which the bullying occurred to determine if changes to the environment are warranted. For example, the IEP Team should consider a behavior intervention plan for the student or review a current behavior intervention plan and revise if necessary. The Executive Director shall comply with the Procedural Safeguards for Discipline of Students with Disabilities/Impairments when considering interventions and consequences for students with disabilities.

Assigning Interventions and/or Consequences

Many Peer Conflicts can be resolved immediately and do not require reporting or creation of any 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. ABLE should avoid using punitive discipline (detention, suspensions, and expulsions) if any other method or consequence can be used with fidelity.

When an investigation determines that bullying occurred, the Executive Director shall explain the consequences in a non-hostile manner, and shall impose any consequence immediately and consistently. The Executive Director 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.
- Restorative measures may be helpful to repair relationships between the perpetrator and target, 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 Executive Director may refer students who bully to positive-behavior small-group interventions (for anger management, trauma or social skills), social work, counseling or school psychological services within the school, if necessary, 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 Executive Director 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, social-skills training and/or groups where they can practice assertiveness and coping mechanisms, or social work, counseling or school psychological services available within the school.

Appeal

Any party who is not satisfied with the outcome of the investigation may appeal to the Executive Director.

Consequences for ABLE 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 Executive Director shall consider employee discipline for such violations, making reference to any applicable collective bargaining agreement. Remedies for offending contractors should be imposed according to their Board contracts.

Notice and Dissemination of Requirements

The Executive Director shall follow the requirements established by the Illinois State Board of Education 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 for Staff

Professional development will be offered to build the skills of all ABLE 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; and
- (4) Information about Internet safety issues as they relate to cyberbullying.

ATTACHMENT A
Bullying Complaint

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

Please submit this report to the Executive Director or any school staff member. You may email info@ableil.org to make a report.

Victim or Target Information

School: _____

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

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

Name & Title of Person Reporting:

Relationship to Victim/Target: _____

Phone: _____ Email Address: _____

Incident Information

Name(s) of student(s) accused of engaging in bullying behaviors OR description (if name(s) unknown):

Location of incident: _____

Date and time of incident: _____

Approximate dates, times, and frequency of prior incident(s): _____

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

Date of submission: _____