

## 7:180 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 goals of Orchard Academy and the Board of Directors.

Bullying is any type of conduct that may:

1. Reflect a coercive imbalance of power; and
2. Is severe, pervasive and often purposeful and repeated; and
3. Places an individual in reasonable fear of substantial detrimental effect to his or her person or property; or to otherwise substantially interfere in a student's academic performance or ability to participate in any school related activity.

Hazing is any form of initiation and/or rite of passage, whereby the perpetrator(s) applies physical, psychological, emotional, and/or mental threats or actions against another. The intent or impact of such behavior is degradation, humiliation, harassment, harm, or intimidation.

Bullying on the basis of actual or perceived race, color, nationality, military status, unfavorable discharge status from the military service, sex, sexual orientation, gender identity, gender-related identity or expression, ancestry, age, religion, physical or mental disability, order of protection status, status of being homeless, or actual or potential marital or parental status, including pregnancy, 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, in school vehicles, when being transported to or from school, 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; and
4. Through the transmission of information from a computer that is accessed at a non-school related location, activity, function, or program or from the use of technology or an electronic device that is not owned, leased, or used by Orchard Academy, or the student's home school, if the bullying causes a substantial disruption to the educational process or orderly operation of a school. This item (#4) applies only in cases in which a school administrator, teacher, or other staff member receives a report that bullying through this means has occurred and it does not require Orchard Academy staff to monitor any non-school related activity, function, or program.
5. Nothing in this Section 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.

Definitions from the Illinois Legislature in Section 27-23.7 of the School Code 105 ILCS 5/27-23.7**(b)** Defines "*bullying*," including "*cyberbullying*" and means any severe or pervasive physical or verbal act or conduct, including communications made in writing or electronically, directed toward a student that has or can be reasonably predicted to have the effect of one or more of the following:

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.
4. Substantially interfering with the student's ability to participate in or benefit from the services, activities, or privileges provided by a school.

Bullying intimidation, and/or harassment may take various forms as detailed under 105 ILCS 5/27-23/7, including without limitation one or more of the following: harassment, hazing, threats, intimidation, stalking, physical violence, sexual harassment, sexual violence, theft, public humiliation, destruction of

property, or retaliation (which does not include denial or disagreement, civilly stated) for asserting or alleging an act of bullying. This list is meant to be illustrative and non-exhaustive.

In addition to that conduct described above, examples of conduct that may constitute bullying include the following:

- Blocking access to school property or facilities;
- Stealing or hiding or otherwise defacing books, backpacks or other personal possessions;
- Repeated or pervasive taunting, name-calling, belittling, mocking putdowns, or demeaning humor relating to a student's race, color, age, gender, marital status, military status, sexual orientation, gender-related identity or expression, ancestry, religion, disability, or other personal characteristics, whether or not the student actually possesses them, that could reasonably be expected to result in the disruption of school activities or that results in a hostile educational environment for the student.

Conduct that would not ordinarily be considered bullying for purposes of this policy include:

- Mere teasing
- "talking trash"
- Trading of insults
- The expression of ideas or beliefs (expressions protected by the First Amendment), so long as such expression is not lewd, profane, or intended to intimidate or harass another.

The examples set out in these Comments are meant to be illustrative and are not exhaustive of conduct that may or may not be considered "Bullying." Nor are they intended to limit the exercise of discretion granted to school administrators under Sections 5/10-20.12(d) or 5/10-22.6 of the School Code for addressing instances of student misconduct.

*Cyberbullying*, as defined in 105 ILCS 5/27-23.7, 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. Cyberbullying includes, among other things, the assumption of the identity of another person as the author of posted content or messages if such assumptions creates any of the effects described in the definition of bullying in this Section. *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 creates 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* in 105 ILCS 5/27-23.7(b).

- i. Prohibition on Cyberbullying. Bullying is prohibited through the transmission of information from a computer that is accessed at a non-school-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 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 non-school-related activity, function, or program.
- ii. The Process to Determine if an Incident is Within the Scope of the Policy. 105 ILCS 5/27- 23.7 also requires that a school's bullying policy or implementing procedure shall include a process to investigate whether a reported act of bullying is within the permissible scope of the school's jurisdiction. Also, shall require that the school provide the victim with information regarding services that are available within the school and community; such as counseling, support services, and other programs.

*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, and
- 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.

For the purpose of this policy, "Conduct" may include:

- i. Physical acts, such as inappropriate, unwanted, uninvited, or injurious physical contact with another; harassment, threats, intimidation, theft, public humiliation, retaliation for asserting or alleging an act of bullying, stalking; sexual assault; and destruction or damage to property of another.  
105 ILCS 5/27-23.7(b).
- ii. Written and electronic communication of any type that incorporates language or depictions that would constitute bullying, using any medium (including, but not limited to, cell phones, computers, websites, electronic networks, instant messages, text messages and emails);
- iii. Verbal threats made to another, blackmail, or demands for protection money;
- iv. Non-verbal threats or intimidation such as aggressive or menacing gestures;
- v. Direct or indirect, relationally aggressive behavior such as social isolation, rumor spreading, or damaging someone's reputation;
- vi. Any of the above conduct which occurs off school grounds when such conduct creates, or reasonably can be expected to create, a substantial disruption in the school setting and/or at school sponsored activities and events.

*School personnel* means persons employed by, on contract with, or who volunteer in Orchard Academy, including without limitation administrators, teachers, social workers, school nurse, maintenance workers, and management from Orchard Village.

#### Bullying Prevention and Response Plan

The Director and/or Principal of Orchard Academy shall develop and maintain a bullying prevention and response plan that advances Orchard Village'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; each numbered requirement corresponds with the same number in the list of required policy components in 105 ILCS 5/27-23.7(b) 1-12.

1. Orchard Academy uses the definition of *bullying* as provided in this policy.
2. Bullying is contrary to State law and the policy of Orchard Academy. However, nothing in Orchard Academy'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 who believe they have been the subject of bullying are encouraged to immediately report bullying. A report may be made orally or in writing to the Director, Principal, or any staff member with whom the student is comfortable speaking. Students may choose to report to a person of the student's same gender. Anyone, including staff members and parents/guardians, who has information about actual or threatened bullying is encouraged to report it to the Director of Orchard Academy or any staff member. All Orchard Academy employees are required to report all incidents of possible bullying which come to their attention whether through student or parent complaints or their own observation. Anonymous reports are also accepted.

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4. Consistent with federal and State laws and rules governing student privacy rights, the Director and/or Principal shall promptly inform parent(s)/guardian(s) of all students involved in an alleged incident of bullying and discuss, as appropriate, the availability of social work services, counseling, school psychological services, other interventions, and restorative measures.
5. The Director and/or Principal 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 the incident of bullying was received and taking into consideration additional relevant information received during the course of the investigation about the reported incident of bullying.
  - 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 President & CEO of Orchard Village of the report of the 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 and guardians of the students who are parties to the investigation information about the investigation and an opportunity to meet with the director and/or principal to discuss the investigation, the findings of the investigation, and the actions taken to address the reported incident of bullying.
  - e. The police and State's Attorney shall be notified immediately of all incidents involving bodily harm, property damage or any conduct which reasonably is believed by the school administrator(s) to be a violation of the criminal laws. The investigation of any such bullying conduct shall proceed in cooperation with the police and other applicable law enforcement authorities. Orchard Academy always retains its' right to investigate and impose any discipline for violation of this Policy, whether or not criminal charges are pursued. The Director and/or Principal shall investigate whether a reported act of bullying is within the permissible scope of Orchard Academy's jurisdiction and shall require that Orchard Academy provide the victim with information regarding services that are available within Orchard Academy and community, such as counseling, support services, and other programs.
6. The Director and/or Principal shall use interventions to address bullying, which may include, but are not limited to, school social work services, restorative measures, social-emotional skill building, and community-based services.
7. 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.
8. A student will not be punished for reporting bullying or supplying information, even if Orchard Academy'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.
9. Orchard Academy'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 Director and/or Principal shall post this policy on Orchard Academy's Internet website 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. The Director and/or Principal shall assist the Board of Directors monitor this policy every two years by conducting a review and re-evaluation of this policy to make any necessary and appropriate revisions with the 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. The ages and maturity of students involved;
  - c. Student, staff, and family observations of safety at school;
  - d. Identification of areas of school where bullying occurs;
  - e. The type, frequency, severity and patterns of bullying utilized;
  - f. The context in which the incidents occurred;
  - g. Bystander intervention or participation;
  - h. The information developed as part of the evaluation process must be posted on Orchard Academy's website. If the internet website is not available, the information must be provided to school administrators, board members, school personnel, parents, guardians, and students; and
  - i. Any other relevant circumstances.

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

- a. The Director and/or Principal must post the information developed as a result of the policy evaluation on Orchard Academy's website, or if a website is not available, the information must be provided to school administrators, Board members, school personnel, parent(s)/guardian(s), and students.
  - b. An updated version of the policy with the amendment/modification date included in the reference portion of the policy.
12. The Director or Principal shall fully inform staff members of Orchard Academy's goal to prevent students from engaging in bullying and the measures being used to accomplish it. This includes each of the following:
    - a. Communicating Orchard Academy's expectation and State law requirement that teachers and other certificated or licensed employees maintain discipline.
    - b. Establishing the expectation that staff members: (1) intervene immediately to stop a bullying incident that they witness or immediately contact Director or Principal and/or law enforcement if the incident involves a weapon or other illegal activity, (2) report bullying, whether they witness it or not, to an administrator, and (3) inform the administration of locations on school grounds where additional supervision or monitoring may be needed to prevent bullying.
    - c. Where appropriate in the staff development program, providing strategies to staff members to effectively prevent bullying and intervene when it occurs.
    - d. Establishing a process for staff members to fulfill their obligation to report alleged acts of bullying.
  13. Orchard Academy's bullying prevention plan must be consistent with other Board policies.
  14. The Director and/or Principal shall fully implement the policies, including without limitation, the following:
    - a. 2:260, *Uniform Grievance Procedure*. A student may use this policy to complain about bullying.
    - b. 6:60, *Curriculum Content*. Bullying prevention and character instruction is provided in all grades in accordance with State law.
    - c. 6:65, *Student Social and Emotional Development*. Student social and emotional development is incorporated into Orchard Academy's educational program as required by State law.

- d. 6:235, *Access to Orchard Academy Computers Electronic Networks*. This policy states that the use of the Orchard Academy's electronic networks is limited to: (1) support of education and/or research, or (2) a legitimate business use. It subjects any individual to the loss of privileges, disciplinary action, and/or appropriate legal actions for violating the Board's *Authorization of Electronic Network Access*.
- e. 7:20, *Harassment of Students Prohibited*. This policy prohibits any person from harassing, intimidating, or bullying a student on the basis of actual or perceived race, color, appearance, nationality, sex, sexual orientation, gender identity, gender-related identity or expression, ancestry, age, religion, physical or mental disability, order of protection status, status of being homeless, actual or potential marital or parental status, including pregnancy, association with a person or group with one or more of the aforementioned actual or perceived characteristics, or any other distinguishing characteristic.
- f. 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.
- g. 7:190, *Student Behavior*. This policy prohibits students from engaging in hazing or any kind of aggressive behavior that does physical or psychological harm to another or any urging of other students to engage in such conduct; prohibited conduct includes any use of violence, force, noise, coercion, threats, intimidation, fear, harassment, bullying, hazing, or other comparable conduct.
- h. 7:310, *Restrictions on Publications; 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 photographic material and blogs, that causes substantial disruption to school operations or interferes with the rights of other students or staff members.

Any student who is determined, after an investigation, to have engaged in bullying in violation of this policy, and the bullying behavior is within the scope of the school's jurisdiction, will be subject to disciplinary action, including, but not limited to, suspension and/or expulsion consistent with Orchard Academy's and the student's home school District's discipline policy; and/or school board review.

Consistent with rules governing student privacy rights, the parent(s)/guardian(s) of every student involved in an alleged incident of bullying shall be promptly informed and made aware of the availability of social work services, counseling, school psychological services, other interventions, and restorative measures.

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 subject to disciplinary action, including, but not limited to, suspension and/or expulsion consistent with Orchard Academy's and the student's home school District's discipline policy; and/or school board review.

A student will not be punished for reporting bullying or supplying information, even if Orchard Academy's or the student's home school 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.

**LEGAL REF.:**

405 ILCS 49/, Children's Mental Health Act.  
105 ILCS 5/10-20.14, 5/24-24, and 5/27-23.7.  
23 Ill. Admin. Code §§1.240 and §1.280.

**CROSS REF.:**

2:260 (Uniform Grievance Procedure)  
2:265 (Title IX Sexual Harassment Grievance Procedure)  
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 Discipline)  
7:220 (Bus Conduct)  
7:230 (Misconduct by Students with Disabilities)  
7:240 (Conduct Code for Participants in Extracurricular Activities)  
7:285 (Food Allergy Management Program)  
7:315 (Restrictions on Publications: High School)

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## Procedures for Bullying

Full implementation of the above policy includes:

1. Procedures for promptly reporting bullying, including but not limited to, identifying and providing Orchard Academy's e-mail address, orchard\_academy@orchardvillage.org and school telephone number (847-967-1800 x130) for the staff person or persons responsible for receiving such reports and a procedure for anonymous reporting.
2. Conducting a prompt and thorough investigation of alleged incidents of bullying, intimidation, or harassing behavior;
3. Providing each student who violates one or more of these policies with appropriate consequences and remedial action;
4. Protecting students against retaliation for reporting such conduct; and
5. Informing staff members of Orchard Village and Orchard Academy's goal to prevent students from engaging in bullying and the measures being used to accomplish it. This includes:
  - i. Communicating Orchard Village and Orchard Academy's expectation, and the State law requirement, that teachers and other certificated employees maintain discipline, and
  - ii. Establishing a process for staff members to fulfill their obligation to report alleged acts of bullying, intimidation, harassment, and other acts of actual or threatened violence.
6. Examining the appropriate steps to understand and rectify conditions that foster bullying, intimidation, and harassment; this contemplates taking action to eliminate or prevent these disruptive behaviors beyond traditional punitive disciplinary actions.
7. Includes bullying prevention and character instruction in accordance with State law and Board policy 6:60, Curriculum Content. This includes incorporating student social and emotional development into the educational program as required by State law and in alignment with policy 6:65, Student Social and Emotional Development.
8. Fully inform staff members of the Board's goal to prevent students from engaging in bullying and the measures being used to accomplish it. This includes: (a) communicating the Board's expectation, and the State law requirement, that teachers and other certificated employees maintain discipline, and (b) establishing a process for staff members to fulfill their obligation to report alleged acts of bullying, intimidation, hazing, harassment, and other acts of actual or threatened violence.
9. Encourages all members of the school community, including students, parents, volunteers, and visitors, to report alleged acts of bullying, intimidation, harassment, and other acts of actual or threatened violence.
10. Actively involves students' parents/guardians in the remediation of the behavior(s) of concern. This includes ensuring that all parents/guardians are notified, as required by State law, whenever their child engages in aggressive behavior.
11. Communicates Orchard Academy's expectation that all students conduct themselves with a proper regard for the rights and welfare of other students. This includes a process for commending or acknowledging students for demonstrating appropriate behavior.
12. Annually communicates this policy to students and their parents/guardians. This includes annually disseminating information to all students and parents/guardians explaining the serious disruption caused by bullying, intimidation, or harassment and that these behaviors will be taken seriously and are not acceptable in any form.
13. Engages in ongoing monitoring that includes collecting and analyzing appropriate data on the nature and extent of bullying in Orchard Academy and, after identifying appropriate indicators, assesses the effectiveness of the various strategies, programs, and procedures and reports the results of this assessment to the Board along with recommendations to enhance effectiveness.
14. Complies with State and federal law and is in alignment with Board of Director's policies. This includes prompting the Board to update the policy beginning every 2 years after its initial adoption and filing this policy with the Illinois State Board of Education after the Board adopts or updates it.

## **Prohibited Conduct**

1. It shall be a violation of policy for a student, employee, or any school visitor to bully, haze, harass, or cyberbully a student or to engage in conduct which would actively or passively support acts of bullying, hazing, harassment, cyberbullying or retaliation.
2. It shall be a violation of policy for a student to report false allegations or a false complaint of bullying, hazing, harassment, cyberbullying or retaliation.
3. It shall also be a violation of the policy for an employee, student, or any school visitor to retaliate against a student for instituting a good-faith complaint of bullying, hazing, harassment, cyberbullying, or retaliation.

## **Complaints**

A student who feels that he/she has been bullied, hazed, harassed, or cyberbullied should inform a school staff member. All school employees are required to report alleged violations of this policy to the program director, principal or his/her designee. All other members of the school community, including students, parents/guardians, volunteers and visitors are encouraged to report any act that may be a violation of this policy.

There are no expressed time limits for initiating complaints under this policy; however, every effort should be made to bring complaints to the attention of appropriate authorities as soon as possible while memories are fresh and witnesses continue to be available. Complaints will be investigated. If it is determined that a violation has occurred, prompt corrective action will be taken. During the investigation, confidentiality will be maintained to the utmost extent possible. Complainants will be offered counseling and other assistance when appropriate and will be informed of the results of any investigation.

## **Intervention/Remediation**

In addition to the prompt investigation of complaints of bullying, hazing, harassment, or cyberbullying and direct intervention when such prohibited activities are verified, the following learning strategies may be implemented:

- 1.Planned professional development programs addressing targeted problems including what constitutes safe and acceptable internet use;
- 2.Formal or informal information or data collection regarding specific disciplinary or student problems;
- 3.Modeling by school personnel of positive, respectful, and supportive behavior towards students;
- 4.Employing classroom strategies that instruct students on how to work together in a collaborative and supportive atmosphere; and
- 5.Gather input from parents, law enforcement, and other community members regarding positive responses to bullying, hazing, harassment, and cyberbullying.

## **Disciplinary Consequences**

1. Violation of this policy may result in discipline. If the harasser is an employee, discipline will be determined in accordance with policy and the provisions of any applicable collective bargaining agreement. Students who violate the policy will also be subject to appropriate discipline in accordance with policy and Orchard Academy's Code of Conduct. Students may be disciplined for acts of bullying, hazing, harassment, or cyberbullying occurring on or off-campus and/or outside of school hours in the same manner they are otherwise subject to discipline for acts that violate Orchard Village or Orchard Academy policies and/or procedures when acts could:
  - (i) Affect the school climate or atmosphere;
  - (ii) Affect the peace, health, safety, or welfare of students, teachers, or any other personnel; and/or
  - (iii) Disrupt or interfere with school or school activities. Any violation is subject to suspension and/or expulsion determined by the Board of Education of the student's home school district.
2. The parent/guardians of students who commit any act of bullying, hazing, harassment, or cyberbullying will be notified.
3. Orchard Academy, in conjunction with the home school district, reserves the right to make referrals for students in violation of this policy to appropriate mental health and law enforcement professionals.

## **Notification**

Orchard Academy shall annually communicate this policy to students and their parents/guardians. This annual notification shall include disseminating information to all students and parents/guardians explaining the serious disruption caused by bullying, hazing, harassment, and cyberbullying and that these behaviors will be taken seriously and are not acceptable in any form. Orchard Academy shall utilize a framework to incorporate the social and emotional learning standards for all grade levels as required by State law.

All partners to this agreement understand the importance of the most current and up-to-date information on issues relating to bullying and agree to utilize their best efforts in participating in training and sharing information on this important topic. Any training in Orchard Academy will include training for all staff members including teachers, administrators, paraprofessionals, support staff, and any staff from Orchard Village who is engaged in interacting with students on a regular basis.

## **Investigation/Discipline**

The parents or guardians of a student shall be notified of a student's violation of this policy. After consideration of the totality of the circumstances, the discipline of a student that is in violation of this policy may, when deemed appropriate, include the preparation of a written early intervention program that is designed to monitor the violating student's future conduct in order to guard against further violations of this policy. An early intervention program may include a notice to the violating student's teachers as well as notice to the victim's teachers of the conduct violating this policy, revisions to the violating student's schedule, precluding the violating student from certain locations, facilities or events, or such other actions that, depending upon the particular circumstances, are designed to monitor and/or safeguard against future violations of this policy.

Any early intervention program shall, to the extent reasonably possible, be prepared with the involvement of the parent/guardian. However, consent of the parent/guardian shall not be necessary to implement any early intervention program. Upon consent of the parent/guardian, a student violating this policy may be referred to relevant community based resources that may be available. Upon consent of the parent/guardian, a student violating this policy may be referred to available student support services that are deemed relevant.

Complaints will be investigated and where it is determined that a violation has occurred, prompt corrective action will be taken. During the investigation, confidentiality will be maintained to the extent possible. Complainants will be offered counseling and other assistance when appropriate and will be informed of the results of any investigation.

## **Retaliation/False Charges**

Retaliation is any form of intimidation, reprisal, or harassment directed against a student who reports bullying, provides information during an investigation of bullying, or witnesses or has reliable information about bullying is strictly prohibited. It shall also be a violation of the policy for an employee, student or any school visitor to retaliate against a student for instituting a good-faith complaint of harassment or bullying, or for a student to complain of harassment or bullying without a good-faith basis. Such retaliation shall be considered a serious violation of Board policy and independent of whether a complaint is substantiated. Students whose behavior is found to be in violation of this paragraph will be subject to discipline, up to and including the recommendation for expulsion through the student's home school district. When deemed appropriate, students may also be referred to law enforcement officials.

False charges brought under this policy shall also be regarded as a serious offense and will result in disciplinary action up to and including a recommendation for expulsion.

Any reports of bullying, intimidation or harassment will be kept confidential to the extent possible given the need to investigate the reported complaint. Students who make good faith complaints will not be disciplined. Any student who is determined, after an investigation, to have engaged in bullying, intimidation, or harassment will be subject to disciplinary consequences as provided in this handbook, including but not

limited to suspension and expulsion consistent with the school and district's discipline policy. Parents of students who have engaged in the above behavior will be notified. Any student making a knowingly false accusation regarding harassment may also be subject to disciplinary consequences.

III.Admin.Code §§1.240 and §1.280.

CROSS REF.: 2:240 (Board Policy Development), 2:260 (Uniform Grievance Procedure), 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 Extracurricular Activities), 7:285 (Food Allergy Management Program), 7:315 (Restrictions on Publications; High Schools)

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