

The Center for Educational Opportunities
Regional Safe School for ROE #41
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ROE #41 BULLYING, INTIMIDATION, HAZING, (SEXUAL) HARASSMENT, TEEN DATING VIOLENCE, FIGHTING, THREAT OF VIOLENCE

Policy can be found at <http://www.roe41.org/pdf/CEO-ETCBullyingPolicyOCT2021.pdf>

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 ROE and school goals.

Bullying on the basis of actual or perceived race, color, national origin, 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, 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; 3) Through the transmission of information from a school computer, a school computer network, or other similar electronic school equipment; 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 the ROE or school if the bullying causes a substantial disruption to the educational process or orderly operation of a school. The ROE will not tolerate harassing, intimidating conduct, or bullying whether verbal, physical, sexual, or visual, that affects the tangible benefits of education, that unreasonably interferes with a student's educational performance, or that creates an intimidating, hostile, or offensive educational environment. Examples of prohibited conduct include name-calling, using derogatory slurs, stalking, sexual violence, causing psychological harm, threatening or causing physical harm, threatened or actual destruction of property, or wearing or possessing items depicting or implying hatred or prejudice of one of the characteristics stated above.

BULLYING, PREVENTION AND RESPONSE PLAN

I. Definitions:

- a. **Bullying** includes cyber-bullying and 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 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.
- b. **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, photo-electronic system, or photo-optical 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. 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.
 - i. Examples of prohibited conduct include name-calling, using derogatory slurs, stalking, sexual violence, causing psychological harm, threatening or causing physical harm, threatened or actual destruction of property, or wearing or possessing items depicting or implying hatred or prejudice of one of the characteristics stated above.
- c. **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.
- d. **School personnel** means persons employed by, on contract with, or who volunteer in a ROE, including without limitation school and school ROE

administrators, teachers, school counselors, school social workers, school psychologists, school nurses, cafeteria workers, custodians, bus drivers, school resource officers, and security guards.

- II. Bullying is contrary to State law and the policy of this ROE. However, nothing in the ROE'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.
- III. Students are encouraged to immediately report bullying. A report may be made orally or in writing to the ROE Nondiscrimination Coordinator, Building Principal, a Complaint Manager, or any staff member with whom the student is comfortable speaking. All school staff members are available for help with a bully or to make a report about bullying. Anyone, including staff members and parents/guardians, who has information about actual or threatened bullying is encouraged to report it to the ROE named officials Complaint Manager or any staff member. The ROE 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 by phone call or in writing, however, this shall not be construed to permit formal disciplinary action solely on the basis of an anonymous report.
 - a. Nondiscrimination Coordinator: Dr. Tricia Blackard – Assistant Regional Superintendent – 157 N. Main St., Edwardsville, IL 62025, (618)-296-4642. Male Complaint Manager: Mr. Stevie Brown – Principal, 201 Staunton Rd., Troy, IL 62294, (618)-667-0633. ; Female Complaint Manager: Mrs. Laurie Rombach, Director of Student Services, 201 Staunton Rd., Troy, IL 62294, (618)-667-0633.
 - b. Title IX Coordinator: Dr. Tricia Blackard – Assistant Regional Superintendent – 157 N. Main St., Edwardsville, IL 62025, (618)-296-4642.
tcblackard@co.madison.il.us
- IV. Consistent with federal and State laws and rules governing student privacy rights, the Superintendent or designee shall promptly inform the parent(s)/guardian(s) of every student 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.
- V. The Superintendent or designee shall promptly investigate and address reports of bullying, by, among other things: 1) Making all reasonable efforts to complete the investigation within 10 school days after the date the report of a bullying incident was received and taking into consideration additional relevant information received during the course of the investigation about the reported bullying incident; 2) Involving appropriate school support personnel and other staff persons with knowledge, experience, and training on bullying prevention, as deemed appropriate, in the investigation process; 3) Notifying the Building Principal or school administrator or designee of the reported incident of bullying as soon as possible

- after the report is received; 4) Consistent with federal and State laws and rules governing student privacy rights, providing parents/guardians of the students who are parties to the investigation information about the investigation and an opportunity to meet with the Building Principal or school administrator or his or her designee to discuss the investigation, the findings of the investigation, and the actions taken to address the reported incident of bullying; 5) The Superintendent or designee shall investigate whether a reported incident of bullying is within the permissible scope of the ROE's jurisdiction and shall require that the ROE provide the victim with information regarding services that are available within the ROE and community, such as counseling, support services, and other programs.
- VI. The Superintendent or designee may use interventions to address bullying, that may include, but are not limited to, school social work services, restorative measures, social-emotional skill building, counseling, school psychological services, and community-based services.
- VII. A reprisal or retaliation against any person who reports an act of bullying is prohibited. A student's act of reprisal or retaliation may be treated as a serious infraction for purposes of determining any consequences or other appropriate remedial actions.
- VIII. A student will not be punished for reporting bullying or supplying information, even if the ROE's investigation concludes that no bullying occurred. However, knowingly making a false accusation or providing knowingly false information may be treated as a serious infraction for purposes of determining any consequences or other appropriate remedial actions.
- IX. The ROE's bullying prevention and response plan is based on the engagement of a range of school stakeholders, including students and parents/guardians.
- X. The Superintendent or designee shall post this Bullying Prevention and Response Plan on the ROE's Internet website, if any, and include it in the student handbook, and, where applicable, post it where other policies, rules, and standards of conduct are currently posted. The Bullying Prevention and Response Plan will 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.
- XI. The Superintendent or designee shall assist the ROE with its evaluation and assessment of this policy's outcomes and effectiveness. This process shall include, without limitation: 1) The frequency of victimization; 2) Student, staff, and family observations of safety at a school; 3) Identification of areas of a school where bullying occurs; 4) The types of bullying utilized; and 5) Bystander intervention or participation. The evaluation process may use relevant data and information that the ROE already collects for other purposes. The Superintendent or designee must post the information developed as a result of the policy evaluation on the ROE's

website, or if a website is not available, the information must be provided to school administrators, school personnel, parents/guardians, and students.

- XII.** This Bullying Prevention and Response Plan is consistent with the policies of the ROE. Students are encouraged to immediately report claims or incidences of bullying, harassment, sexual harassment, or any other prohibited conduct to the Nondiscrimination Coordinator, Building Principal, or a Complaint Manager, or any staff member with whom the student is comfortable speaking. Students may choose to report to a person of the student's same sex. An allegation that one student was sexually harassed by another student shall be referred to the Building Principal. Any student of the ROE who is determined, after an investigation, to have engaged in bullying, intimidation or (sexual) harassment will be subject to disciplinary action as provided in this handbook, including but not limited to, suspension and expulsion consistent with the school and ROE's disciplinary policy. Any person making a knowingly false accusation regarding bullying, intimidation or (sexual) harassment will likewise be subject to disciplinary action including but not limited to, suspension and expulsion consistent with the school and ROE's disciplinary policy.

CYBER-BULLYING

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, 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. 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. Cellular telephones, cameras or any electronic devices used to harass or bully students or harass school personnel (i.e. the student has) (i) been determined to have made an explicit threat on an Internet website against a school employee, a student, or any school-related personnel, (ii) the Internet website through which the threat was made is a site that was accessible within the school at the time the threat was made or was available to third parties who worked or studied within the school grounds at the time the threat was made, and (iii) the threat could be reasonably interpreted as threatening to the safety and security of the threatened individual because of his or her duties or employment status or status as a student inside the school) may be subject to the following disciplinary action: 1) In-School Suspension assignment, 2) Out-of-school Suspension for up to ten (10) days with a referral to the sending school for possible expulsion for up to two (2) years; 3) legal action

through local law enforcement. Cyberbullying using home-based or off-campus devices that results in a material and/or substantial disruption to the school and/or a true threat will constitute grounds for investigation as to whether or not the use violates applicable law or school rules. Should misuse be determined, the student may receive disciplinary consequences appropriate for the frequency and severity of the violation.

SEXUAL HARASSMENT

The school and ROE shall provide an educational environment free of verbal, physical, or other conduct or communications constituting harassment on the basis of sex as defined and otherwise prohibited by State and federal law

Title IX Sexual Harassment

Sexual harassment affects a student's ability to learn and an employee's ability to work. Providing an educational and workplace environment free from sexual harassment is an important ROE goal. The ROE does not discriminate on the basis of sex in any of its education programs or activities, and it complies with Title IX of the Education Amendments of 1972 (Title IX) and its implementing regulations (34 C.F.R. Part 106) concerning everyone in the ROE's education programs and activities, including applicants for employment, students, parents/guardians, employees, and third parties. Title IX Sexual Harassment Prohibited Sexual harassment as defined in Title IX (Title IX Sexual Harassment) is prohibited. Any person, including a ROE employee or agent, or student, engages in Title IX Sexual Harassment whenever that person engages in conduct on the basis of an individual's sex that satisfies one or more of the following: 1. A ROE employee conditions the provision of an aid, benefit, or service on an individual's participation in unwelcome sexual conduct; or 2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the ROE's educational program or activity; or 3. Sexual assault as defined in 20 U.S.C. §1092(f)(6)(A)(v), dating violence as defined in 34 U.S.C. §12291(a)(10), domestic violence as defined in 34 U.S.C. §12291(a)(8), or stalking as defined in 34 U.S.C. §12291(a)(30). Examples of sexual harassment include, but are not limited to, touching, crude jokes or pictures, discussions of sexual experiences, teasing related to sexual characteristics, spreading rumors related to a person's alleged sexual activities, rape, sexual battery, sexual abuse, and sexual coercion. A person who wishes to make a report under this Title IX Sexual Harassment grievance procedure may make a report to the Title IX Coordinator, Nondiscrimination Coordinator, Building Principal, a Complaint Manager, or any employee with whom the person is comfortable speaking. A person who wishes to make a report may choose to report to a person of the same gender. School employees shall respond to incidents of sexual harassment by promptly making or forwarding the report to the Title IX

Coordinator. An employee who fails to promptly make or forward a report may be disciplined, up to and including discharge.

TEEN DATING

Engaging in teen dating violence that takes place at school, on school property, at school-sponsored activities, or in vehicles used for school-provided transportation is prohibited. For purposes of this policy, the term teen dating violence occurs whenever a student who is 13 to 19 years of age uses or threatens to use physical, mental, or emotional abuse to control an individual in the dating relationship; or uses or threatens to use sexual violence in the dating relationship.

HAZING

Soliciting, encouraging, aiding, or engaging in hazing is prohibited. 'Hazing' means any intentional, knowing, or reckless act directed against a student for the purpose of being initiated into, affiliating with, holding office in, or maintaining membership in any organization, club, or athletic team whose members are or include other students. Students who engage in hazing that endangers the mental or physical health or safety of another may be subject to disciplinary action including but not limited to, suspension and expulsion consistent with the school and ROE's disciplinary policy.

Students are encouraged to promptly report claims or incidences of bullying, intimidation, harassment, sexual harassment, or any other prohibited conduct to the Nondiscrimination Coordinator, Building Principal, a Complaint Manager, or any employee with whom the student is comfortable speaking. A student may choose to report to an employee of the student's same gender. We encourage students and parents to notify the CEO/ETC office of any incidents regarding bullying immediately.

The school will protect students against retaliation for reporting incidents of bullying, intimidation or (sexual) harassment.