

Bullying Policy

Pending approval by the TCS Board on 9/18/24, the following policy will govern bias-based behavior and bullying at The Children's School:

Purpose

Bullying is contrary to Illinois state law (105 ILCS 5/27-23.7 and Illinois Admin. Code title 23, 1.295) and the policies of TCS. This policy protects TCS students against interpersonal harm from bullying and bias-based behaviors. TCS acknowledges that all students have the right to participate fully in the educational processes, free from bullying and harassment, and in that regard, a safe and civil environment in school is necessary for students to learn and to excel. Bullying, biased-based behaviors, and harassment, like other disruptive or violent behaviors, are forms of conduct that disrupt both a student's ability to learn and a school's ability to educate its students in a safe environment. Because students learn by example, school administrators, faculty, staff, and volunteers should be expected to demonstrate appropriate behavior, treat others with civility and respect, and refuse to tolerate bullying, bias-based behaviors, and harassment.

The Children's School (TCS) is committed to being a safe and inclusive community for all. This means that bias-based, discriminatory, or bullying behavior is not tolerated. Bias-based behaviors, including racism and all forms of discrimination on the basis of actual or perceived membership of a protected category, can cause physical, psychological, and emotional harm to students and interfere with their ability to learn and participate in school activities. TCS seeks to understand, disrupt, and dismantle patterns and structures of institutional bias and racism (conscious or unconscious) that create disparities or perpetuate achievement differences among students and staff.

Scope

This policy is applicable to the entire TCS community, including administrators, teachers, faculty, students, parents/guardians, and volunteers, and covers conduct that takes place in the school, on school property, at school-sponsored functions and activities, and on school buses/vehicles. This policy also pertains to usage of electronic technology and electronic communication that is used for bullying, biased-based behaviors, harassment, or cyber-bullying.

TCS recognizes a number of protected categories. In addition, TCS recognizes the particular vulnerability of students with actual or perceived disabilities as well as those who identify as or are perceived to be LGBTQ.

Nothing in this policy 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 1 of the Illinois Constitution.

Prohibition on Bullying Behavior

Bullying, biased-based behaviors, harassment, and cyber-bullying are prohibited at TCS. Retaliation or threats of retaliation and/or false accusations meant to intimidate the victim of bullying, bias-based behaviors, harassment, or cyber-bullying, or toward those investigating incidents thereof, are also prohibited.

School Responsibilities

- A. TCS shall identify the administrator and faculty responsible for collecting and responding to reports of bullying, bias-based behaviors, harassment, or cyber-bullying.
 - a. The system for reporting suspected incidents must ensure that the reporting can be done easily, safely, and privately.
- B. TCS administration and faculty shall create environments where the school community upholds the standards of respect and civility and understands that bullying, harassment, cyber-bullying are inappropriate, harmful and unacceptable.
- C. TCS shall provide a report on the aggregate complaints of bullying, biased-based behaviors, harassment, cyber-bullying and responses to these complaints to the Board annually.
- D. TCS shall receive and investigate complaints from parents/guardians, students, faculty, and staff members, addressing and taking each complaint seriously.
- E. The policy will be distributed annually, and will also be included in any school-wide student codes of conduct, disciplinary policies, student and parent handbooks, staff handbooks, and on the TCS website.
- F. This policy and procedures are based upon the engagement of a range of school stakeholders, including input from students and parents/guardians. Administration in tandem with faculty and the board will re-evaluate this policy every **two years** based upon an assessment of its outcomes and effectiveness.
 - a. The assessment will include, but is 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 or bias-based behaviors occur; the types of bullying or bias-based behaviors utilized; and bystander intervention or participation.
 - b. The information collected and relevant data must be made available on TCS' website.
 - c. No later than September 30 of each subsequent school year the policy must be filed with the Illinois State Board of Education (ISBE).

- G. TCS shall maintain written or electronic records regarding all complaints of bullying, harassment, and cyber-bullying, any investigation thereof, and any actions taken. These records shall be maintained and stored for no less than **five years**.
- a. As required by law, TCS will collect, maintain, and submit non-identifiable data regarding verified allegations of bullying to ISBE in report form **annually**.

Faculty Responsibilities

Faculty and school staff at TCS share responsibility for modeling appropriate behavior and creating an environment where mutual respect, civility, tolerance, and acceptance among students and staff are promoted and where students understand that bullying and harassment are inappropriate and harmful and are taken seriously.

All faculty and school staff will take reasonable measures to prevent bullying, bias-based behaviors, harassment, and cyber-bullying and are obligated to report in a timely manner any such acts or complaints that come to their attention.

Student Responsibilities

Students share responsibility for helping to create a safe school environment by not engaging in or contributing to bullying, bias-based behaviors, harassment, and cyber-bullying, treating everyone with respect, and being sensitive as to how others might perceive their actions or words.

TCS asks every student, with the support of their parents/guardians and the adults at the school, to commit to the following principles, which apply to everyone on school property and at school-related activities:

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

Any student who observes an act of bullying, bias-based behavior, harassment, or cyber bullying should report the incidents to the school in a timely manner.

Definitions

Bias-based Behavior:

Any physical, verbal, nonverbal, or other act or conduct, including communications made in writing or electronically, directed towards a member or perceived member of a protected category within the school community that is of a discriminatory or harmful nature.

Bullying:

Includes “cyber-bullying” and means any verbal or physical act or conduct, including communications made in writing or electronically, directed toward a student or students and meets some or all of the following criteria:

- A. An observed or perceived imbalance of power exists between the person or persons engaging in the bullying behavior and the targeted student or students.
- B. The behaviors are severe or pervasive (repeated over time), or there is a high likelihood that behaviors will be repeated.
 - a. While bullying is often characterized by repeated acts, sometimes a single incident constitutes bullying depending on the severity and if other elements of bullying are present.
- C. The intent of the person or persons engaging in the behavior is to cause physical or emotional harm to the targeted student or students.
- D. The behavior has or can be reasonably predicted to have one or more of the following effects:
 - a. Placing the student or students in reasonable fear of harm to the student’s or students’ person or property.
 - b. Causing a substantially detrimental effect on the student’s or students’ physical or mental health.
 - c. Substantially interfering with the student’s or students’ academic performance.
 - d. Substantially interfering with the student’s or students’ ability to participate in or benefit from the educational programming, services, activities, or privileges provided by TCS.

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. Knowingly making false accusations of bullying will be investigated and will be treated as bullying behavior. No person will be subject to consequences for making a good-faith report. This list is meant to be illustrative and non-exhaustive.

Cyber-Bullying:

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, app communications, or facsimile communications. “Cyber-bullying” includes the creation of a webpage or social media post 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 of 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. This definition also includes cyber-bullying by means of technology that is not owned, leased, or used by TCS. This policy does not require or establish an expectation that TCS will staff or monitor any non-school related activity, function, internet content, or program.

Discrimination:

Treating an individual less favorably because of their actual or perceived membership in one or more of the Protected Categories.

Harassment:

Any unwelcome verbal, nonverbal, visual, or physical conduct that is based on an individual's actual or perceived membership in one or more of the Protected Categories defined below, that is persistent, pervasive, or severe and objectively offensive and unreasonably interferes with, limits, or denies an individual's educational or employment access, benefits, or opportunities. Unwelcome conduct may include, but is not limited to, bullying, intimidation, offensive jokes, slurs, epithets or name calling, assaults or threats, touching, ridicule or mockery, insults or put-downs, offensive objects or pictures, messages sent via email, text or social media, sexual advances, requests for sexual favors, conduct of a sexual nature, or any other sex-based conduct.

Protected Categories:

An individual's actual or perceived sexual orientation, gender or sex (includes gender identity, gender expression, pregnancy, childbirth, breastfeeding, and pregnancy related medical conditions), race or ethnicity, ethnic group identification, ancestry, nationality, national origin, religion, color, mental or physical disability, age (40 and above), immigration status, marital status, registered domestic partner status, genetic information, political belief or affiliation (not union related), military status, unfavorable discharge from military service, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics, or any other basis protected by federal, state or local law, ordinance, or regulation.

Peer Conflict:

Defined as disagreements and oppositional interactions that are situational, immediate, and developmentally appropriate. Conflicts arise when two or more students with relatively similar observed or perceived power have differences in opinion or perspectives. When school employees are aware of peer conflict, they are expected to guide students in developing new skills in respectful communication, personal boundaries, and peaceful conflict resolution.

Racial Discrimination:

Any distinction, exclusion, restriction or preference based on race, color, community, national or ethnic origin which has the impact of nullifying or impairing the recognition, enjoyment or exercise, of a right to an equitable educational experience and fundamental freedoms in the

social, economic, cultural, political, and linguistic aspects of school, school and district life (Adapted from United Nations, 2019).

Retaliation:

Any form of intimidation, reprisal, or adverse action or change to educational program or activity taken against a student for having made a complaint or report of bullying or bias based behaviors whether made internally or externally with federal, state, or local agency, or for participating, aiding, or refusing to participate in an investigation, proceeding, or hearing related to a report or complaint of bullying or bias based behaviors. Retaliation is considered to be a form of bullying and is prohibited according to this policy.

Restorative Measures & Practices:

A continuum of school-based alternatives to exclusionary discipline, such as suspensions and expulsions that:

- A. Are adapted to the particular needs of TCS and TCS community.
- B. Contribute to maintaining school safety.
- C. Protect the integrity of a positive and productive learning environment.
- D. Teach TCS students the personal and interpersonal skills they will need to be successful in school and society.
- E. Serve to build and restore relationships among students, families, schools, and communities. Restorative practices are ways of pro-actively developing relationships and community, as well as repairing community when harm is done.
- F. Reduce the likelihood of future disruption by balancing accountability with an understanding of students' behavioral health needs in order to keep students in school.
- G. Increase student accountability if the incident of bullying is bias-based.

After conflict or harm, Restorative Practices provide a way of thinking about, talking about and responding to issues and problems by involving all participants to discuss their feelings and opinions, identify what happened, describe how it affected everyone, and find solutions to make things better.

School Faculty

Persons employed by, on contract with, or who volunteer at TCS, including without limitation administrators, teachers, school social workers, and office staff.

Prevention

TCS shall work to develop safe and supportive school environments that prevent and are clearly intolerant of bullying, bias-based behaviors, harassment and cyber-bullying. Establishing an environment in which students and teachers feel safe and are able to focus on learning is the desired standard.

While this list is not exhaustive, TCS does this through:

- *Developing supportive school climate strategies*, including clear expectations to guide interactions between students, and between staff and students.
- *Teaching all students social and emotional skills* interwoven throughout TCS' curriculum both inside and outside of the classroom. Additionally, establishing classroom and school-wide practices that promote relationship-building, including teaching students to speak out when they see or hear bullying, degrading language, bias or prejudice.
- *Establishing predictable and effective responses and practices* that address root cause, teach skills, build empathy, and repair harm.
- *An ongoing commitment to welcoming and inclusive practices* that center belonging, affirm cultural differences, and address and support the transformation of bias-based harm.
- *Involvement of parents/guardians* at orientations, Back to School nights, and other opportunities as necessary.

Professional Development:

TCS shall implement ongoing professional development to build the skills of all staff members, including but not limited to, preventing, identifying and responding to bullying, bias-based behaviors, harassment, and cyber-bullying. The content of such professional development shall include, but not be limited to:

- A. Developmentally appropriate strategies to prevent incidents;
- B. Developmentally appropriate strategies for immediate, effective interventions;
- C. Information regarding the complex interaction and power differential that can take place between victim, perpetrator, and witnesses;
- D. Research findings, including but not limited to information about specific categories of students who have been shown to be particularly at risk in the school environment;
- E. Information on the incidence and nature of cyber-bullying;
- F. Internet safety issues as they relate to cyber-bullying.

TCS shall identify and offer information on alternative methods for fulfilling the professional development requirements of this section.

Student Training and Prevention

TCS shall present age-appropriate training and resources for students, which will include:

- A. Instruction on how to prevent bullying, bias-based behaviors, harassment, and cyber-bullying;
- B. The process for reporting and filing complaints;
- C. And the process along with potential consequences that can result from the complaint.
- D. Internet safety:
 - a. Safety on the internet, appropriate online behavior, and digital citizenship;
 - b. Cyber-bullying awareness and response.

This policy will be distributed annually to students and will also be easily viewable and accessible on the TCS website.

Complaint Procedures

All allegations of bullying, bias-based behavior, harassment, or cyber-bullying shall be reported to the designated school report manager, either orally or in writing. Any student, parent/guardian, volunteer, teacher, or staff member may file such a report. Complaints can be made to any staff member at TCS, who will direct all complaints to TCS's designated representative. If a report contains incomplete information, the designated report manager shall take reasonable measures to contact the individuals involved to determine whether an investigation should be pursued. Complaints may be taken anonymously, and will be investigated with the same procedures and timeline as other reports, however, *actions cannot be taken solely on an anonymous report*. School administration shall also use this procedure to investigate complaints of retaliation or threats of retaliation meant to intimidate the victim of bullying, bias-based behaviors, harassment, or cyber-bullying or toward those investigating incidents thereof.

TCS Designated Report Manager:

Name: Michelle Candelaria-Dunstan

E-mail: mcdunstan@tcsconnect.org

Phone: 708-484-8033

Upon receiving a complaint/report, TCS will investigate whether such reported act(s) of bullying is within the permissible scope of its jurisdiction. The designated school report manager shall:

1. Promptly and thoroughly investigate the alleged incident of bullying, bias-based behavior, harassment, or cyber-bullying.
2. Take immediate steps and intervene immediately to ensure and establish the safety of everyone involved.
3. The parents/guardians of all students involved in an alleged incident will be notified of such, along with threats, suggestions, or instances of self-harm determined to be the result of bullying, within one school day after TCS' administration is made aware of the student or student's involvement in the incident, provided that such notification does not endanger the health, safety, or well-being of any student.
 - a. TCS shall make diligent efforts to notify a parent/guardian, utilizing all contact information the school has available or that can be reasonably obtained by the school within the 24-hour period.

- b. Notifications shall be made privately and confidentially to students' parents/guardians.
 - c. When incidents have a larger impact on the school community, TCS administration shall provide clear communication to students, faculty, and parents/guardians to reinforce school-wide expectations.
4. Maintain a written or electronic record of the complaint, investigation, and any intervention or responses taken.
5. Conduct an investigation and make all reasonable efforts to complete the investigation within *ten school days* after the date the complaint was received, taking into consideration additional relevant information received during the course of the investigation about the reported incident.
 - a. The investigation shall include:
 - i. Identifying all involved parties, including the student or students alleged to have engaged in the bullying behaviors, alleged target or targets and bystander or bystanders, as well as any adult who witnessed the incident or may have reliable information about it.
 - ii. If necessary, conducting individual interviews in a private setting with all involved parties. *The alleged target should never be interviewed in public or with the student or students alleged to have engaged in bullying.*
 - iii. Determining how often the conduct occurred, any past incident or continuing pattern of behavior, and the impact of behaviors on the targeted student or student's education.
 - iv. Assessing the individuals involved and the school-wide effects of the incident relating to safety.
6. Involve appropriate school support personnel and other staff persons with knowledge, experience, and training, as deemed appropriate and necessary, in the investigation process. An external investigator may need to be procured depending upon circumstances.
7. Make a determination whether allegations of bullying are substantiated or not and document determination in an internal report with a summarization of investigation and actions taken and recommended remedial steps along with recommended restorative measures.
 - a. If it is outside the scope of TCS and determined to be a criminal act, the report manager shall refer the incident(s) to appropriate law enforcement.
8. Notify all involved parties of the outcome of the investigation.
 - a. Notification must be consistent with student privacy rights under the applicable provisions of the Family Educational Rights and Privacy Act (FERPA).
 - b. Parents/guardians of the students who are parties of the investigation may request a personal conference with administration to discuss the

investigation, its findings, and the actions taken in response to address the reported incident.

- c. Private educational or personal data regarding an alleged perpetrator who is a student or employee of TCS shall not be disclosed, to the extent protected by law.
9. Take proper actions immediately following the conclusion of the investigation.
 - a. As appropriate, TCS may also discuss the availability of social work services, counseling and psychological services, other interventions, and restorative measures. TCS will coordinate with all parties to provide supportive measures to the best of their ability and resources, however there may be situations where external resources are recommended. TCS assumes no financial responsibility for external resources and recommendations.
 10. Determining an appropriate response:
 - a. Identifying school risk factors and ensuring a universal strategy for school climate improvement and social and emotional development.
 - b. Supporting the targeted student or students.
 - i. Assign school staff and implement a plan that will restore a sense of safety for the target student and other students who have been impacted. Determine any other interventions that may be appropriate.
 - c. Determine interventions and/or consequences that address the root cause of the students' bullying behaviors, taking into account the nature of the behavior and developmental age of the student.

For incidents that impact the larger school community, administration will seek to provide opportunities in safe, structured environments for affected students to speak about the incident, its impact, and what is needed to repair the harm.