



## **BULLYING POLICY 2022-23**

### **Definitions**

“**Bias-based Behavior**” is any physical, verbal, nonverbal, or other act or conduct, including communications made in writing or electronically, directed toward a member or perceived member of a protected category within the school community that is of a discriminatory or harmful nature.

“Bullying” means any physical or verbal act or conduct, including communications made in writing or electronically, directed toward a student or students, and meets all of the following criteria. Note: if the behavior or part of the behavior is Bias-based or targeted at a member of a protected category please see the responding to Bias-based behaviors guidelines.

- 1) An observed or perceived imbalance of power exists between the person(s) engaging in the bullying behavior(s) and the targeted student(s).
- 2) The behaviors are severe or pervasive (repeated over time), or there is a high likelihood that behaviors will be repeated. 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.
- 3) The intent of the person(s) engaging in the behavior is to cause physical or emotional harm to the targeted student(s).
- 4) The behavior has or can be reasonably predicted to have one or more of the following effects:
  - a) placing the student in reasonable fear of harm to the student's person or

property;

b) causing a substantially detrimental effect on the student's physical or mental health;

c) substantially interfering with the student's academic performance; or

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

Bullying may take various forms, including without limitation, one or more of the following: harassment, threats, intimidation, stalking, physical violence, sexual harassment, sexual violence, theft, public humiliation, destruction of property, or retaliation for asserting or alleging an act of bullying. This list is meant to be illustrative and non-exhaustive.

“Cyberbullying” means using information and communication technologies to bully. This definition includes cyberbullying by means of technology that is not owned, leased, or used by the school district when an administrator or teacher receives a report that bullying through this means has occurred. This Policy does not require a district or school to staff or monitor any non- school-related activity, function, or program.

“Discrimination” is treating an individual less favorably because of their actual or perceived membership in one or more of the Protected Categories.

“Harassment” is 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, as defined in the Final New Comprehensive Non-Discrimination, Harassment, Sexual Harassment, Sexual Misconduct And Retaliation Policy, 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.

“Microaggressions” are the everyday verbal, nonverbal, and environmental slights, snubs, or insults, whether intentional or unintentional, which communicate hostile, derogatory, or negative messages to target persons based solely upon their actual or perceived Protected Category membership such as race, sexual orientation, and gender identity (Adapted from Wing Sue, Derald. "Racial Microaggressions in Everyday Life," 2010).

“Protected Categories” are 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.

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“Peer Conflict” means 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” is 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” means any form of intimidation 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.

“Restorative Practices” 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.

Restorative Practices are ways of pro-actively developing relationships and community, as well as repairing community when harm is done. 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.

## **Purpose**

The Illinois General Assembly has found that a safe and civil school environment is necessary for students to learn and achieve. Bullying and Bias-based behaviors are directly contrary to this and can cause physical, psychological, and emotional harm to students and interferes with their ability to learn and participate in

school activities. It is the goal of the Chicago Prep and Elite Sports Academy (“CHICAGO PREP ACADEMY”) to

create a learning environment in all its school communities where all students feel safe and supported, are protected from bullying and Bias-based harm, and are able to succeed academically as well as develop socially and emotionally into responsible, caring individuals.

The CHICAGO PREP ACADEMY 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 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.

Bullying and Bias-based behaviors are contrary to a number of local, state, and federal laws and statues. This Policy protect CHICAGO PREP ACADEMY students against interpersonal harm from bullying and bias based behaviors. CHICAGO PREP ACADEMY recognizes a number of protected categories in its Final Comprehensive Non-Discrimination Policy.

Please see the definition section below or in the Non-Discrimination Policy for the full list of protected categories. Additionally, CHICAGO PREP ACADEMY 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. CHICAGO PREP ACADEMY 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 or Bias-based behaviors occur; the types of bullying or Bias-based behaviors utilized; and bystander intervention bias-based behavior policy addressing bullying and or participation. The information developed will be made available on the District's website.

Bullying and Bias-based behaviors are prohibited:

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

### **Reporting Bias-based Behavior**

School-based staff who witness or become aware of must report any and all instances of Bias-based behaviors to the principal who must complete a Report and answer the question regarding Bias-based harm.

Students who experience or witness Bias-based behaviors are to report these to a school-based staff member. Alternatively, students can make reports directly to

the Administrative Staff one of the following ways:

- Via Email: Submit complaints to [safety@chi-prepacademy.org](mailto:safety@chi-prepacademy.org)
- Via Telephone: Submit complaints to 773-236-2750.

## **D. Determining an Appropriate Response**

The goal of the response is to ensure the targeted student feels safe and welcome, and the student engaging in bullying behaviors understands the harm they caused and changes their behavior. For guidance in determining an appropriate response, contact CHICAGO PREP ACADEMY school administrators at [safety@chi-prepacademy.org](mailto:safety@chi-prepacademy.org) or 773.235.2750.

- 1) Identify school risk factors and ensure a universal strategy for school climate improvement and social and emotional development. Assess and address any issues in supervision, expectations, relationship-building, and emotional learning.
- 2) Support the targeted student. Assign school staff to create and implement a plan that will restore a sense of safety for the targeted student and other students who have been impacted. Determine any other interventions that may be appropriate. If the targeted student has 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 Principal/Designee shall ask the student's IEP Team to consider whether the IEP should include provisions to reduce vulnerability to bullying.
- 3) Determine interventions and/or consequences that address the root cause of the students' bullying behaviors. Consider the nature of the behavior, the developmental age of the student, and the student's history of problem behaviors and performance. Follow the Student Code of Conduct and the Guidelines for Effective Discipline, and identify opportunities to teach, build empathy, and repair harm. While suspensions may be necessary in some cases to ensure the safety

of the targeted student, keep in mind that suspending or expelling students who bully does not reduce bullying behavior.

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 develop the student's social and emotional skills. The team may also 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 Principal/Designee shall comply with the Procedural Safeguards for Discipline of Students with Disabilities/Impairments when considering interventions and consequences for students with disabilities.

Contact the Office of Social & Emotional Learning for school-wide climate and skill-building practices that prevent bullying, and the CPS Law Department for more information about the appropriate and legal consequences for student misconduct.

4) For incidents that impact the larger school community, provide opportunities in safe, structured environments for affected students, staff, and/or parents to speak about the incident, its impact, and what is needed to repair the harm.

#### E. What Not To Do

- Solicit an apology from the student who engaged in bullying to the targeted student or mandate a public apology, use peace circles, victim/offender conferences, or any form of mediation that puts the student who engaged in bullying in contact with the targeted student in an immediate attempt to resolve the bullying. Restorative measures may be helpful to repair relationships between the student who engaged in bullying and targeted student, 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.

## Steps for Investigating Bias-based Behavior

Please note that it is important to follow these steps.

1) Establish the present safety of everyone involved as well as plan for continued safety in the process.

2) Notify parents/guardians of all involved students.

a) Within one school day of receipt of a report of Bias-based behavior, the Principal or Principal Designee shall report to the parent/legal guardian of bias-based behavior policy addressing bullying and

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all involved students the occurrence of any alleged incident of Bias-based behavior and follow the guidelines provided in OSP's Transforming Bias-based Harm Protocols and shall document these notifications in the District student information system.

i. Notifications should be made privately to students directly involved and their parent guardians.

ii. When incidents have a larger impact on the school community, the Principal or Principal Designee shall provide clear communication to students, staff, and parents to reinforce school-wide expectations of a climate centering belonging, respect, and affirmation of cultural difference.

3) Document all allegations of Bias-based behaviors

a) School based staff who witness or become aware of must report any and

all instances of bias based behaviors to the principal and answer in the affirmative the question related to Bias-based and discriminatory behavior within one school day.

4) Conduct an investigation as directed by CHICAGO PREP ACADEMY Academy administration.

a) After administrator is notified of Bias-based behavior through a direct

report CHICAGO PREP ACADEMY will review the report, determine if it will be accepted as an investigation, and if applicable the type of investigation as well as provide

guidance for student support:

i. For severe, complex, or pervasive incidents/civil rights

issues an outside investigator will be assigned to investigate the incident.

An investigator will respond to the school upon the decision to open the report .

The investigator will need access to the administrator, access to all parties/students involved, a private location for interviews, and all relevant evidence and documents.

ii. School-Based Investigation: When an investigation is

able to be carried out at the school level, the investigator will ask the school and its administrator to conduct a school-based investigation.

School-based investigations are led by school administrators and/or School Representatives.

The school must not conduct an investigation unless directed to do so by school administrator.

iii. Resolution Timeframe: Investigations will be completed promptly

although some investigations take weeks or even months, depending on the nature, extent, and complexity of the allegations, availability of witnesses, police involvement, etc.

1. CHICAGO PREP ACADEMY will make a good faith effort to complete the resolution process, not including appeals and discipline, within a ninety (90) calendar day time period, which can be extended as necessary for appropriate cause by the Title IX Coordinator or Designee with notice to the parties as appropriate.

2. School-based investigators will make a good faith effort to complete the investigation process, not including appeals, within ten (10) calendar days which can be extended as necessary for appropriate cause by the school administrator with notice to the parties as appropriate.

b) Supportive Measures: In all incidents, the District will coordinate with schools to provide the parties with supportive measures which are non-disciplinary, non-punitive individualized services offered as appropriate,

as reasonably available, and without fee or charge to the parties per the Transforming Bias Based Harm Protocols.

5) Make a determination whether allegation of Bias-based behavior is substantiated or not and document determination.

a) Investigator will consider whether the behavior qualifies as an inappropriate behavior listed in the Student Conduct Policy and according to the definitions listed in this policy, the comprehensive nondiscrimination policy, and the Transforming Bias-based Harm Protocols and will prepare a written outcome determination of the cases substantiation status. If the investigation determines a student engaged in Bias-based behaviors and/or other inappropriate behaviors listed in the SCP, a written outcome determination will be prepared and the finding will be communicated to the school Principal/Designee.

b) School-Based Investigation: Principal/Designee shall consider whether the behavior qualifies as an inappropriate behavior listed in the SCP and according to the definitions listed in this policy as substantiated and will prepare a written outcome determination. The Principal/Designee shall ensure the investigation and findings (whether the reported behavior is substantiated or not substantiated) are documented in the District student information system.

c) If any investigation determines a student engaged in Bias-based behavior and/or other inappropriate behaviors listed in the SCp, the Principal/Designee shall prepare a Misconduct Report.

6) Notify all involved parties of the outcome of the investigation.

a) Upon the completion of the investigation CHICAGO PREP ACADEMY will issue outcome letters to the involved students and their parent/legal guardian of the investigation status, findings, and next steps including but not limited to potential discipline by the Principal for substantiated SCC violations.

b) School Based Investigation: Upon the completion of the investigation, the school administrator will issue a written outcome determination to all parties stating whether the investigation was substantiated or unsubstantiated. If the case is substantiated, the school administrator will communicate any consequences pursuant to the Student Code of Conduct to student(s) determined to have engaged in SCP violations and their parents/guardians.

c) Regardless of the outcome of the investigation, the District will take steps to prevent the recurrence of Bias-based and discriminatory behavior, as well as all misconduct covered herein, and correct any discriminatory effects on all impacted parties as appropriate.

## **Addressing Allegations of Bullying Behaviors**

### Preventing Bullying

All CHICAGO PREP ACADEMY staff shall work to develop safe, supportive school environments that prevent bullying through:

- Developing supportive school climate strategies, including clear expectations and share agreements to guide interactions between students, and between staff and students.
- Teaching all students social and emotional skills and establish classroom and school-wide practices that promote relationship-building, including teaching all school stakeholders to speak out when they see or hear bullying, degrading language, and bias or prejudice.
- Establishing predictable responses and effective disciplinary practices that address root cause, teach skills, build empathy, and repair harm. Ensure all students, staff, and stakeholders know how your school plan to respond to bullying and harassment.

### Intervening to Address Bullying

#### A. Responsibilities of CHICAGO PREP ACADEMY Employees and Contractors

All CHICAGO PREP ACADEMY employees and contractors, 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 ensure the safety of all people involved;
- 2) report the incident of bullying or retaliation to the Principal/Designee as soon as practicable, but within 24 hours, on the CHICAGO PREP ACADEMY Bullying Complaint Form (Attachment A); and
- 3) cooperate fully in any investigation of the incident and in implementing any safety plan established by the Principal/Designee.

#### B. Responsibilities of Students, Parents and Guardians

No student who witnesses bullying may stand by or participate in the bullying, but must notify an adult at school and an adult at home as quickly as practicable.

Any parent or guardian who witnesses or is notified of bullying has an obligation to advise the Principal/Designee as quickly as practicable. Reports can be made

to any CHICAGO PREP ACADEMY employee or contractor in person, by emailing, or by calling any CHICAGO PREP ACADEMY administrator at (773) 236-2750, or by emailing [safety@chicoprepacademy.eorg](mailto:safety@chicoprepacademy.eorg). Anonymous reports will

be accepted by the Principal/Designee. No disciplinary action will be taken on the sole basis of an anonymous report.

#### **C. Steps for Investigating Bullying Reports**

- 1) Ensure safety. The Principal or their designee will provide immediate support to any targeted student(s) to ensure safety. If there are overt or implied risks of safety, including immediately notifying the CHICAGO PREP ACADEMY administrative office. Alleged behaviors targeted at sex, gender, sexual orientation, gender identity, or gender expression should be reported immediately to the administrative office representative.
- 2) Notify parents/guardians of all involved students. Within one school day of receipt of a bullying report, the Principal/Designee shall report to the parent/legal guardian of all involved students, via telephone, personal conference

and/or in writing, the occurrence of any alleged incident of bullying, and shall document these notifications in the District student information system.

a) Notifications should be made privately to students directly involved and their parent/legal guardians.

b) Additionally, when incidents have a larger impact on the school community, the Principal/Designee shall provide clear communication to students, staff and parents to re-enforce school-wide expectations and a climate of respect and inclusion.

3) Document all allegations of bullying. Within two school days of receiving a report of bullying, the Principal/Designee will document the allegation in the District student information system as a general incident report and document all notifications made.

4) Conduct an investigation. The Principal and/or a designee, who is knowledgeable about bullying prevention and intervention, shall perform the investigation.

Investigation of reported bullying shall be initiated within 5 school days of receipt of a report, documented within the incident report in the District student information system, and completed within 10 school days, unless the Principal grants in writing an additional 5-day extension due to extenuating circumstances. The Principal/Designee shall document the extension in the investigation report and shall notify the parties involved.

The investigation shall include:

a) Identifying all involved parties, including the student(s) alleged to have engaged in the bullying behaviors, alleged 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 all involved parties. The alleged target should never be interviewed in public or with the student(s) alleged to have engaged in bullying.

c) Determining how often the conduct occurred, any past incident or continuing pattern of behavior, and the impact of the behaviors on the targeted student's education.

d) Assessing the individual and school-wide effects of the incident relating to safety.

5) Make a determination whether allegations of bullying are substantiated or not and document determination. The Principal/Designee shall consider whether the four elements of the bullying definition are met, or if all four elements of bullying are not present, whether the behavior qualifies as another inappropriate behavior listed in the SCP. When the investigation is complete, the Principal/Designee shall ensure the investigation and findings (whether bias-based behavior policy addressing bullying and the report of bullying is substantiated or not substantiated) are documented in the student information system. If the investigation determines a student engaged in bullying behaviors and/or other inappropriate behaviors listed in the SCP, the Principal/Designee shall prepare a Misconduct Report.

6) Notify all involved parties of the outcome of the investigation. Within one day of making a determination, the Principal/Designee shall notify, in writing, 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 Principal/Designee 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. When communicating incidents of bullying to the targeted student's parent/guardian, the Principal/Designee should consider whether the student may want to keep certain information confidential. For example, if a student is bullied after coming out as gay, the Principal/Designee shall not disclose the student's sexual orientation to the parent/guardian without the student's permission, unless there

is a legitimate, school-related reason for doing so.

If the investigation determines a student engaged in bullying behaviors, the Principal/Designee shall provide the Misconduct Report to the parent/legal guardians of the student who engaged in the behaviors. The Principal/Designee may advise the parent/legal guardian of other involved students that the Student Code of Conduct was followed. They may not advise them of specific consequences imposed, as that would violate the confidentiality of school-record information required by law.

### **Determine interventions and/or consequences that address the root cause**

**of the students' bullying behaviors.** Consider the nature of the behavior, the developmental age of the student, and the student's history of problem behaviors and performance. Follow the Student Code of Conduct and the Guidelines for Effective Discipline, and identify opportunities to teach, build empathy, and repair harm. While suspensions may be necessary in some cases to ensure the safety of the targeted student, keep in mind that suspending or expelling students who bully does not reduce bullying behavior.

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 develop the student's social and emotional skills. The team may also 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 Principal/Designee shall comply with the Procedural Safeguards for Discipline of Students with Disabilities/Impairments when considering interventions and consequences for students with disabilities.