

North Clay Unit District #25 Anti-Bullying Policy

Prohibition of Harassment, Intimidation, and Bullying

The North Clay School District is committed to a safe and civil educational environment for all students, employees, volunteers and patrons, free from harassment, intimidation or bullying. **“Harassment, intimidation or bullying” is defined** as 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 an 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.

Bullying, as defined, 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.

This policy is not intended to prohibit expression of religious, philosophical, or political views, provided that the expression does not substantially disrupt the education environment. Many behaviors that do not rise to the level of harassment, intimidation, or bullying may still be prohibited by other district policies or building, classroom, or program rules.

Counseling, corrective discipline, and /or referral to law enforcement will be used to change the behavior of the perpetrator and remediate the impact on the victim. This includes appropriate intervention(s), restoration of a positive climate, and support for victims and others impacted by the violation. False reports or retaliation for harassment, intimidation or bullying also constitutes violations of this policy.

STUDENTS

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Informal Complaint Process: Anyone may use informal procedures to report and resolve complaints of harassment, intimidation, or bullying. At the building level, programs may be established for receiving anonymous complaints. Such complaints must be appropriately investigated and handled consistent with due process requirements. Informal reports may be made to any staff member, although staff shall always inform complaints of their right to, and the process for, filing a formal complaint. Staff shall also direct potential complaints to an appropriate staff member who can explain the informal and formal complaint process and what a complaint can expect. Staff shall also inform an appropriate supervisor or designated staff person when they receive complaints of harassment, intimidation, or bullying, especially when the complaint is beyond their training to resolve or alleges serious misconduct.

Informal remedies include an opportunity for the complainant(s) to explain to the alleged perpetrator that the conduct is unwelcome, disruptive, or inappropriate either in writing or face-to-face; a statement from a staff member to the alleged perpetrator that the alleged conduct is not appropriate and could lead to discipline if proven or repeated; or a general public statement from an administrator in a building reviewing the district harassment, intimidation and bullying policy without identifying the complainant, parent, guardian, or because the district believes the complaint needs to be more thoroughly investigated.

Formal Complaint Process: Anyone may initiate a formal complaint of harassment, intimidation or bullying, even if the informal complaint process is being utilized. Complainant(s) should not be promised confidentiality at the onset of an investigation. It cannot be predicted what will be discovered or what kind of hearing may result. Efforts should be made to increase the confidence and trust of the person making the complaint. The district will fully implement the anti-retaliation provisions of this policy to protect the complainant(s) and witness(es). Student complainants and witnesses may have a parent or trusted adult with them, if requested, during any district initiated investigatory activities. The superintendent or designated compliance officer (hereinafter referred to as the compliance officer) may conclude that the district need to conduct an investigation based on information in their possession regardless of the complainant's interest in filing a formal complaint. The following process shall be followed:

A. All informal complaints shall be in writing or by email to one of the following addresses: parnold@northclayschools.com, kprice@northclayschools.com, or maldrich@northclayschools.com. Formal complaints shall set forth the specific acts, conditions or circumstances alleged to have occurred that may constitute harassment, intimidation or bullying. The compliance officer may draft the complaint based on the report of the complainant, for the complainant to review and sign. An anonymous complaint may be made by phone at one of the following phone numbers: (618) 665-339 Grade School Principal, (618) 665-3102 High School Principal, or (618) 665-3358 District Office. An anonymous complaint may not be construed to permit disciplinary action solely on the basis of an anonymous report.

B. Regardless of the complainant's interest in filing a formal complaint, the compliance officer may conclude that the district needs to draft a formal complaint based on the information in the officer's possession. **There shall be no reprisal or retaliation against any person who reports an act of bullying. Consequences and appropriate remedial action will be taken against anyone who engages in this act. Consequences and disciplinary action shall be taken against anyone who is found to have reported false information regarding a bullying complaint.**

C. The compliance officer shall investigate all formal, written complaints of harassment, intimidation or bullying, and other information in the compliance officer's possession that the officer believes requires further investigation. **If at all possible, the investigation shall be completed within 10 days of the reporting of the alleged bullying.**

D. When the investigation is completed the compliance officer shall compile a full written report of the complaint and the result of the investigation. If the matter has not been resolved to the complainant's satisfaction, the superintendent shall take further action on the report. **The administrator, who is not the compliance officer, shall promptly inform parents or guardians of all students involved in the alleged incident of bullying, and discussing, as appropriate, the availability of social work services, counseling, school psychological services, other interventions, and restorative measures.**

E. The administrator or designee, who is not the compliance officer, shall respond in writing to the complainant and the accused within thirty days, stating:

1. That the district intends to take corrective action; or
2. That the investigation is incomplete to date and will be continuing; or
3. That the district does not have adequate evidence to conclude that bullying, harassment or intimidation occurred.

F. Corrective measures deemed necessary will be instituted as quickly as possible, but in no event more than thirty days after the superintendent's written response, unless the accused is appealing the imposition of discipline and the district is barred by due process considerations or a lawful order from imposing the discipline until the appeal process is concluded.

G. If a student remains aggrieved by the superintendent's designee's response, the student may pursue the complaint as one of discrimination pursuant to Policy ____, Nondiscrimination or a complaint pursuant to Policy ____, complaint Concerning staff or Programs.

Students will be provided with age-appropriate information on the recognition and prevention harassment, intimidation or bullying, and their rights and responsibilities under this and other district policies and rule at student orientation sessions and on other appropriate occasions, which may include parents. Parents shall be provided with copies of this policy and procedure and appropriate materials on the recognition and prevention of harassment, intimidation and bullying.

LEGAL REF.: 405 ILS 49/1 et seq.

105 ILCS 5/10-20.14, 5/24-24, and 5/27-23.7.

23 Ill.Admin.Code §1.280.

CROSS REF.: 2:240 (Board Policy Development), 5:230 (Maintaining Student Discipline), 6:60 (Curriculum Content), 6:65 (Student Social and Emotional Development), 7:20 (Harassment of Students 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), 7:310 (Restrictions on Publications and Written or Electronic Material)

Adopted: December 10, 2007

Revised: January 14, 2010

Revised: October 27, 2014