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# Addressing Bullying and Bias-Based Behaviors

**Section** 705.5A | **Board Report** 24-0627-PO7 | **Date Adopted** June 27, 2024

[Note: Included in the Student Code of Conduct – Section 705.5]

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## 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 interfere with their ability to learn and participate in school activities. It is the goal of the Chicago Board of Education ("Board") 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 Board asks every Chicago Public School ("CPS") student, with the support of their 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.

## Scope

Bullying and bias-based behaviors are contrary to a number of local, state, and federal laws and statues. This Policy protect CPS students against interpersonal harm from bullying and bias based behaviors. The Board recognizes a number of protected categories in its Final Comprehensive Nondiscrimination Policy. Please see the definition section below or in the CPS Non-discrimination Policy for the full list of protected categories. Additionally, the Board 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. The Board 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 or participation. The information developed will be made available on the District's website.

Bullying and bias-based behaviors are prohibited and are considered a violation of the CPS Student Code of Conduct and subject to discipline:

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 CPS 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.

## 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. Knowingly making false accusations of bullying will be investigated and will be treated as bullying behavior that is subject to discipline under the Student Code of Conduct. 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.

**"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 (includes hairstyles historically associated with race, ethnicity, or hair texture, including, but not limited to, protective hairstyles such as braids, locks, and twists), ethnic group identification, ancestry, nationality, national origin, religion, color, mental or physical disability, age, immigration or citizenship status, marital status, registered domestic partner status, genetic information, political belief or affiliation (not union related), military status, unfavorable discharge from military service, weight, height, 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 (including Title VI, Title IX, IDEA, and 504), state or local law, ordinance, or regulation.

**"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 preference or adverse act 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, 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. All substantiated allegations of retaliation are subject to discipline under the Student Code of Conduct.

**"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.

## Preventing Bullying and Bias-Based Behaviors

All CPS principals and staff shall work to develop safe and supportive school environments that prevent bullying and bias-based behaviors 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 establishing 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.
- Committing to welcoming and inclusive practices that center belonging, affirm cultural differences, and address and support the transformation of bias-based harm

## Addressing Allegations of Bias-Based Behavior

### Intervening to Address Bias-Based Behavior +

### Reporting Bias-Based Behavior +

### Steps for Investigating Biased-Based Behavior +

## Intervening to Address Bullying

### A. Responsibilities of CPS Employees and Contractors +

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

### C. Steps for Investigating Bullying Reports +

### D. Determining an Appropriate Response +

### E. What Not To Do: +

## Appeal

Any party who is not satisfied with the outcome of the investigation may appeal to the Office of Social and Emotional Learning Student Discipline Support Team at (773) 553-2249, studentdiscipline@cps.edu, within 15 calendar days of notification of the Principal's decision. The Office of Social & Emotional Learning shall render a final determination in accordance with the timeline and procedures set out in the anti-bullying appeal guidelines established by the Office of Social & Emotional Learning. The Office of Social & Emotional Learning may return the incident to the Network Chief, Principal or their designees for further investigation or reconsideration of the consequence(s), direct the imposition of other consequence(s), or deny the appeal. The Office of Social & Emotional Learning shall notify the party requesting the appeal and the Principal that its decision is final and shall document that notification in the Incident Report in the District student information system.

## Consequences for CPS Employees and Contractors

When it is determined that an employee or contractor was aware that bullying and bias-based and discriminatory behavior was taking place but failed to report it, the employee/contractor will be considered to have violated this Policy The Principal shall consider employee discipline for such violations, making reference to any applicable collective bargaining agreement. Remedies for offending contractors should be imposed according to their Board contracts.

## Notice and Dissemination of Requirements

Principals shall follow the requirements established by the Office of Social & Emotional Learning for posting this Policy on the school's website, in the school building as well as disseminating and presenting this Policy to school staff as part of pre-school-year professional development.

## Training and Professional Development

### Staff

Professional development will be offered to build the skills of all CPS employees, contractors and volunteers to implement this Policy. The content of such professional development shall include, but not be limited to:

1. Developmentally appropriate strategies to prevent incidents of bullying and bias-based and discriminatory behavior and to intervene immediately and effectively to stop them;
2. Information about the complex interaction and power differential that can take place between and among a perpetrator, target, and witness to the bullying and bias-based and discriminatory behavior;
3. Research findings on bullying, including information about specific categories of students who have been shown to be particularly at risk, and any specific interventions that may be particularly effective for addressing bias-based bullying; and
4. Information about Internet safety issues as they relate to cyberbullying.

### Student Internet Safety Education

In accordance with the Board's Internet Safety Policy (http://policy.cps.edu/download.aspx?ID=261), each school shall incorporate into the school curriculum a component on Internet safety to be taught at least once each school year to all students. The Chief Officer of Teaching and Learning or designee, shall determine the scope and duration of this unit of instruction and topics covered. At a minimum, the unit of instruction shall address: (a) safety on the Internet; (b) appropriate behavior while online, on social media platforms and in chat rooms; and (c) cyberbullying awareness and response. The age-appropriate unit of instruction may be incorporated into the current courses of study regularly taught. Schools shall satisfy the documentation requirements established by the Chief Officer of Teaching and Learning or designee to ensure compliance with this curricular requirement.

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## Policy References

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| **Amends/Rescinds** | |

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|---|---|
| Cross References | **Note: Replaces prior Student Code of Conduct**<br>20-0722-PO2; 19-0626-PO4;18-0725-PO1; 17-0628-PO1; 15-0722-PO1; 14-0625-PO1; 13-0724-PO1; 12-0627-PO1, 11-0727-PO2; 10-0728-PO2; 09-0722-PO5; 08-0723-PO5; 07-0627-PO5; 06-0823-PO3; 06-0726-PO8; 05-0727-PO1; 04-0728-PO2; 03-0723-PO02; 02-0626-PO01; 01-0627-EX8; 00-0628-PO1; 99-0127-PO1; and 98-0722-EX2 |
| Legal References | |
| Public Comment | Pursuant to Board Rule 2-6 this Policy was subject to Public Comment from 4/26/24 – 5/30/24 and was Adopted at the June 27, 2024 Board Meeting [Board Report 24-0627-PO7]<br>Pursuant to Board Rule 2-6 this Policy was subject to Public Comment from 4/20/20 – 6/19/20 and was Adopted at the July 22, 2020 Board Meeting [Board Report 20-0722-PO2]<br>Pursuant to Board Rule 2-6 this Policy was subject to Public Comment from 4/21/21 – 5/21/21 and was Adopted at the June 23, 2021 Board Meeting [Board Report 21-0623-PO3] |

Attachment A: Chicago Public Schools Form for Reporting Bullying and Retaliation

POLICY MANAGED BY

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