



# Illinois State Board of Education

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## School Policies for Bullying Prevention

### Intended Purpose of Document

The purpose of this communication is to provide updates for the 2019-20 school year in regards to bullying policies, the content of those policies and procedures/timelines for submission to the Illinois State Board of Education. Questions regarding the applicability, development, and maintenance of bullying policies or this document can be directed to [bullyingpolicy@isbe.net](mailto:bullyingpolicy@isbe.net).

### Background

Under [105 ILCS 5/27- 23.7](#), all public school districts, non-sectarian nonpublic schools, and charter schools in Illinois are required to develop and implement policies concerning bullying prevention. The policies are required to be updated every two (2) years and filed with the Illinois State Board of Education—including each revision. Additionally, state statute specifically requires certain content and components to be included in a bullying policy, which is outlined in this document.

- 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.
  - 1) Bullying, as defined in 105 ILCS 5/27- 23.7, 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.
  - 2) Cyberbullying, as defined in 105 ILCS 5/27- 23.7, is 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, photoelectronic system, or photo-optical system, including without limitation electronic mail, Internet communications, instant messages, or facsimile communications. "Cyberbullying" 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 in this Section. "Cyberbullying" 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 in [105 ILCS 5/27- 23.7(b)].

- i. Prohibition on Cyberbullying. Bullying is prohibited through the transmission of information from a computer that is accessed at a nonschool-related location, activity, function, or program or from the use of technology or an electronic device that is not owned, leased, or used by a school district or school if the bullying causes a substantial disruption to the educational process or orderly operation of a school. This item applies only in cases in which a school administrator or teacher receives a report that bullying through this means has occurred and does not require a district or school to staff or monitor any nonschool-related activity, function, or program.
- ii. The Process to Determine if an Incident is Within the Scope of the Policy. 105 ILCS 5/27-23.7 also requires that a district's bullying policy or implementing procedure shall include a process to investigate whether a reported act of bullying is within the permissible scope of the district's or school's jurisdiction. Also, shall require that the district or school provide the victim with information regarding services that are available within the district and community; such as counseling, support services, and other programs.

### **Content Requirements for Bullying Policies**

Under [105 ILCS 5/27- 23.7](#), each public school district, charter school, and non- sectarian nonpublic school must formally adopt a policy on bullying that includes at least all of the following components and criteria:

- A. Defines "bullying," including "cyberbullying," 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 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. States that 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.
- C. Includes a statement that bullying is contrary to State law and the policy of the school district.
- D. Includes procedures for promptly reporting bullying, including but not limited to, identifying and providing the school e-mail address (if applicable) and school telephone number for the staff person or persons responsible for receiving such reports and a procedure for anonymous reporting.
- E. Consistent with federal and state laws and rules governing student privacy rights includes procedures or promptly informing 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.
- F. Contains procedures for promptly investigating and addressing reports of bullying, including the following:

- 1) Making all reasonable efforts to complete the investigation within ten (10) school days after the date the report of the incident of bullying was received and taking into consideration additional relevant information received during the investigation about the reported incident of bullying.
  - 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 principal or school administrator or his or her designee of the report of the 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 and providing parents/guardians of the students who are parties to the investigation information about the investigation and an opportunity to meet with the school administrator or designee to discuss the investigation, the findings of the investigation, and the actions taken to address the reported incident of bullying.
- G. Includes the interventions that can be taken to address bullying, which 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.
- H. Includes a statement prohibiting reprisal or retaliation against any person who reports an act of bullying and the consequences and appropriate remedial actions for a person who engages in reprisal or retaliation.
- I. Includes consequences and appropriate remedial actions for a person found to have falsely accused another of bullying as a means of retaliation or as a means of bullying.
- J. Contains a policy evaluation process to assess the outcomes and effectiveness of the policy that includes, but is not limited to, factors such as:
- 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 that are common or occurring.
  - 5) Bystander intervention or participation.
  - 6) The information developed as part of the evaluation process must be posted on the district website. If the internet website is not available, the information must be provided to school administrators, school board members, school personnel, parents, guardians, and students.
- K. The bullying policy aligns with the other policies of the school board.
- L. The policy or implementing procedure shall include a process to investigate whether a reported act of bullying is within the permissible scope of the district's or school's jurisdiction. Furthermore, it shall require that the district or school provide the victim with information regarding services that are available within the district and community, such as counseling, support services, and other programs.

## **Development, Notification, and Posting**

Each policy on bullying adopted by must:

- A. Be based on engagement with a range of school stakeholders, including students and parents or guardians.
- B. Where applicable, be posted where other policies, rules, or standards of conduct are posted in the school.
- C. Be posted on the district or school website.
- D. Be included in the school handbook.
- E. Be distributed annually to parents, guardians, students, and school personnel, including new employees when hired

## Reevaluation and Submission to the Illinois State Board of Education

***Policies must be filed with ISBE by September 30 each year***, public school districts that do not have an appropriate policy in place will not be considered to be out of compliance with the law.

Policies must also be reviewed and re-evaluated every two (2) years and be updated to reflect any necessary and appropriate revisions. Acceptable documentation to satisfy the re-evaluated policy submission includes one of the following, as applicable:

- I. An updated version of the policy with the amendment/modification date included in the reference portion of the policy;
- II. If no revisions are deemed necessary, a copy of board minutes indicating that the policy was re-evaluated and no changes were deemed to be necessary, or a signed statement from the board president indicating that the policy was re-evaluated and no changes were deemed to be necessary.

Initial policies in conformance with those above must be sent via email to [bullyingpolicy@isbe.net](mailto:bullyingpolicy@isbe.net) no later than September 30 each year.

Questions or concerns may be directed to the Division of School Wellness by calling 217-782-5270 or by email at [bullyingpolicy@isbe.net](mailto:bullyingpolicy@isbe.net).