

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;

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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, 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 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 plans 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

School based staff who witness or become aware of Bias-based behaviors must immediately take the following steps:

- 1) Establish the safety of everyone involved. Note: If there is concern around the necessity to involve law enforcement please see the Police Notification section of the SCC.
- 2) Denounce the Bias-based behavior as unacceptable to the values of Chicago Public Schools as well as being contrary to board policy.
- 3) Notify the CPS Office of Student Protections (OSP).

For further resources, tools, and directives please refer to the OSP Transforming Bias-based Harm Protocols at cps.edu/osp.

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 an Aspen 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 Office of Student Protections and Title IX in the following ways:

- Online: Complete and submit a complaint form located at cps.edu/osp
- Via Email: Submit complaints to civilrights@cps.edu.
- Via Telephone: Submit complaints to 773-535-4400.
- In Person or By Mail: Submit complaints directly to OSP in person or via USPS mail to 110 N. Paulina St., Chicago, 60612.

Steps for Investigating Bias-based Behavior

Please note that it is important to follow these steps as well as to refer to OSP's Transforming Bias-based Harm Protocols, which include the comprehensive overview of CPS' District Response to Bias-based Behavior as well as a school-based staff document link at cps.edu/osp.

- 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 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 who must complete an Aspen Report and answer in the affirmative the question related to Bias-based and discriminatory behavior within one school day.
 - b) Staff unable to access Aspen or for any questions or assistance, may contact OSP at 773-535-4400 or civilrights@cps.edu.
- 4) Conduct an investigation as directed by OSP.
 - a) After OSP is notified of Bias-based behavior through an Aspen or a direct report OSP 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. OSP Investigation: For severe, complex, or pervasive incidents/civil rights issues an OSP investigator will be assigned to investigate the incident. An OSP investigator will respond to the school upon the OSP's decision to open the report for an OSP investigation. The OSP investigator will need access to the Student Protections School Representative, access to all parties/students involved, a private location for interviews, and all relevant evidence and documents.
 - ii. School-Based Investigation: When OSP deems an investigation is able to be carried out at the school level OSP will ask the school and its Student Protections School Representative to conduct a school-based investigation. School-based investigations are led by school administrators and/or Student Protections School Representatives. OSP will provide the school guidance. A school must not **conduct an investigation** unless directed to do so by OSP.
 - 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. OSP 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

as well as all misconduct covered herein, and correct any discriminatory effects on all impacted parties as appropriate.

Addressing Allegations of Bullying Behaviors

Intervening to Address Bullying

A. Responsibilities of CPS Employees and Contractors

All CPS employees and contractors, including security officers, lunchroom staff and bus drivers, 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 CPS 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 CPS employee or contractor in person, by completing Attachment A and submitting it to the Principal/Designee, by calling the CPS Parent Support Center at (773) 553-3772, or by emailing BullyingReport@cps.edu. 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, follow the steps in the CPS Crisis Manual, including immediately notifying the CPS Student Safety Center and the school's Network office. Alleged behaviors targeted at sex, gender, sexual orientation, gender identity, or gender expression should be reported immediately to the Office of Student Protections and Title IX for assistance and support: (773) 535-4400.
- 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,

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.

Appeal

Any party who is not satisfied with the outcome of the investigation may appeal to the Office of Student Protections and Title IX, or OSP (telephone: 773 535-4400), within 15 calendar days of notification of the Principal's decision. OSP shall render a final determination in accordance with the timeline and procedures set out in the anti-bullying appeal guidelines established by OSP. OSP 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. OSP 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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attachment A

Chicago Public Schools Form for Reporting Bullying and Retaliation

NOTE: The reporter may remain anonymous, but no discipline will be imposed based solely upon an anonymous report.

Please submit this report to the principal or any school staff member. You may also call the Parent Support Center (773 553-3772) or email BullyingReport@cps.edu to make a report.

Victim or Target Information

School: _____

Name(s) and grade(s) of Victim/Target:

Reporting Information (*Optional for students/parents/guardians)

Name & Title of Person Reporting: _____

Relationship to Victim/Target: _____

Phone: _____ Email Address: _____

Incident Information

Name(s) of student(s) accused of engaging in bullying behaviors OR description (if name(s) unknown):

Location of incident: _____

Date and time of incident: _____

Approximate dates, times, and frequency of prior incident(s): _____

Describe what happened and who was present in as much detail as possible

(*Required Information): _____

Date of submission: _____

