

POLICY ON BULLYING PREVENTION approved 09.2022

This Bullying Prevention Policy is created pursuant to and is in compliance with Section 27-23.7 of the *Illinois School Code* (105 ILCS 5/27-23.7). NewHope Academy, NewHope Academy West Campus, NewHope Academy East Campus and NewHope Academy Extension of Services, herein "NewHope" serves a unique population of students with disabilities and, therefore, this policy is tailored to address the needs of NewHope's student population.

Bullying based on actual or perceived race, color, religion, sex, national origin, ancestry, age, marital status, physical or mental disability, military status, sexual orientation, gender-related identity or expression, unfavorable discharge from military service, association with a person or group with one or more of the actual or perceived characteristics, or any other distinguishing characteristic is prohibited at NewHope. No student enrolled at NewHope shall be subjected to bullying:

- During any school-sponsored education program or activity;
- While in school, on school property, on school buses or other school vehicles, or at school-sponsored or school-sanctioned events or activities;
- Through the transmission of information from a school computer, a school computer network, or other similar electronic school equipment;
or

Through the transmission of information from a computer that is accessed at a non-school-related location, activity, function, or program or from the use of technology or an electronic device that is not owned, leased, or used by the school if the bullying causes a substantial disruption to the education process or orderly operation of the school. This item applies only in cases in which the school administrator or teacher receives a report that bullying through this means has occurred and does **not** require the school to staff or monitor any non-school-related activity, function or program.

"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:

- Placing the student or students in reasonable fear of harm to the student's or students' person or property;
- Causing a substantially detrimental effect on the student's or students' physical or mental health;

- Substantially interfering with the student's or students' academic performance;
- Substantially interfering with the student's or students' ability to participate in or benefit from the services, activities, or privileges provided by the school.

Bullying may take various forms, without limitation to 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.

"Cyber-bullying" under this policy is defined as 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. "Cyber-bullying" 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 policy. "Cyber-bullying" 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 per this policy.

Bullying is contrary to Illinois law and the policies of NewHope. Anyone, including staff members and parents/guardians, having knowledge of any incident(s) considered to be acts of bullying as defined in this policy are asked to promptly report the bullying to the Executive Director. A report may be made by phone, in person, by email or in writing to the individual named below who is responsible for receiving such reports. Anonymous reports may also be made in writing and provided to the address below, however, this shall not be construed to permit formal disciplinary action solely on the basis of an anonymous report.

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Consistent with federal and state laws and rules governing student privacy rights, as applicable to NewHope, and the policies of NewHope, the above-named Administrator will promptly inform the parents/guardians of all students involved in the alleged incident of bullying and discuss, as appropriate, the need for interventions and availability of services, which may include therapy services, other interventions, including community-based services, and restorative measures.

NewHope serves a unique population of students with disabilities, Emotional Disabilities, Specific Learning Disabilities, Autism, and Other Health Impairments, Ages 11-21. Due to the nature of the population served by NewHope and the possibility that certain acts may be manifestations of a student's disability rather than an intentional act of bullying, as part of determining whether a reported act of bullying is within the permissible scope of the school's jurisdiction, each reported instance of bullying will be reviewed and assessed for the need to investigate on a case-by-case basis and as determined to be appropriate by NewHope's Administrative team.

If determined to be appropriate for investigation and within the school's jurisdiction, NewHope will comply with the following procedure for promptly investigating and addressing reports of bullying:

- NewHope will make all reasonable efforts to complete the investigation within 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 course of the investigation about the reported incident of bullying.
- Any reports of bullying will be kept confidential to the extent possible given the need to investigate the reported claim.
- As soon as possible after a report is received, the Administrative team will be notified of the report of the incident(s) of bullying.

Consistent with the federal and state laws, as applicable to NewHope, and the policies governing student privacy rights and confidentiality, parents/guardians of the students who are parties to the investigation may be provided relevant information regarding the investigation, as deemed appropriate by the Administrative team and an opportunity to meet with the Administrative Team, to discuss the investigation, the findings of the investigation, and the actions taken to address the reported incident of bullying, as deemed appropriate.

Interventions that may be taken to address findings of incidents of bullying in the school, include, but are not limited to: school therapy services, restorative measures, social emotional skill building, and community-based services. Any

student who is determined, after an investigation, to have engaged in an intentional act of bullying will be subject to disciplinary consequences as deemed appropriate and consistent with the school's disciplinary policies, NewHope is a nonpublic, therapeutic school and an agent of Illinois placing school districts, as such, NewHope may share information regarding incidents of bullying with the referring school district(s) of those students involved in a bullying incident, and an individualized education program ("IEP") meeting may be convened to discuss the impact, if any, on the student's current educational program, placement, supports, and services.

Reprisal or retaliation against any person who reports an act of bullying per this policy is a violation of this policy and strictly prohibited. Anyone engaging in retaliation or reprisal against any person who reports an act of bullying may face consequences and appropriate remedial action as deemed necessary by NewHope and consistent with the school's disciplinary policies. Appropriate consequences and remedial action, which are consistent with the school's disciplinary policies, may also be taken against a person found to have falsely accused another of bullying as a means of retaliation or as a means of bullying.

Please also note the following related to the development, notification and publication, and evaluation of this policy:

This policy is based on engagement with a range of school stakeholders, including students and parents/guardians.

This policy can be found on the school's existing website, is included in the student handbook, and, where the school's other policies, rules, and standards of conduct are currently posted. A copy of this policy may also be requested from Brandy Larrance, Executive Director.

This policy will also be distributed annually to parents/guardians, students, and school personnel, including new employees when hired.

NewHope will periodically engage in the process of reviewing and re-evaluating this policy to assess the outcomes and effectiveness of this policy that includes, but may not be limited to, collecting, and assessing the following information:

- 1) the frequency of victimization;
- 2) student, staff, and family observations of safety at a school;
- 3) identification of areas of the school where bullying occurs;
- 4) the types of bullying utilized; and
- 5) bystander intervention or participation.