

## ADM-10 RYAN BANKS ACADEMY ANTI-BULLYING POLICY

### HARASSMENT OF STUDENTS PROHIBITED

No person, including a Ryan Banks Academy (RBA) employee or agent, or student, shall harass, intimidate, or bully a student on the basis of actual or perceived: race; color; national origin; military status; unfavorable discharge status from military service; sex; sexual orientation; gender identity; gender-related identity or expression; ancestry; age; religion; physical or mental disability; order of protection status; status of being homeless; actual or potential marital or parental status, including pregnancy; association with a person or group with one or more of the aforementioned actual or perceived characteristics; or any other distinguishing characteristic. RBA will not tolerate harassing, intimidating conduct, or bullying, including sexual harassment, whether verbal, physical, sexual, or visual, that affects tangible benefits of education, that unreasonably interferes with a student's educational performance, or that creates an intimidating, hostile, or offensive educational environment. Examples of prohibited conduct include name-calling, using derogatory slurs, stalking, sexual violence, causing psychological harm, threatening or causing physical harm, threatened or actual destruction of property, or wearing or possessing items depicting or implying hatred or prejudice of one of the characteristics stated above.

### ANTI-BULLYING AND ANTI-HARASSMENT POLICY

Illinois law requires all schools to have a policy on bullying including cyber-bullying. Each school's policy must be updated at least every other year. Illinois state law and is modeled after the official bullying policy published by the Illinois Association of School Boards. In addition to this written policy, which is part of RBA's documentation, the anti-bullying and anti-harassment policy is also included in the yearly Family handbook which is distributed to the families of all enrolled students, posted on our website, and distributed to school personnel, including new employees when hired.

Policy is based on the engagement of a range of school stakeholders, including scholars and parents or guardians.

This policy shall be evaluated on a yearly basis to assess the outcomes and its effectiveness that includes, but is not limited to, factors such as the frequency of victimization; scholar, staff, and family observations of safety at a school; identification of areas of a school where bullying occurs; the types of bullying utilized; and bystander intervention or participation. Relevant data and information RBA collects for other purposes may be used in the policy evaluation. The information developed as a result of the policy evaluation will be made available on the school website.

### HOW TO REPORT BULLYING

Parents or students may complete incident form ADM-03F01, included at the end of this policy, or by contacting [info@ryanbanksacademy.org](mailto:info@ryanbanksacademy.org).

#### Bullying (definition)

Bullying is an intentional, aggressive behavior that includes an imbalance of power and is repeated over time. 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 scholar(s) in reasonable fear of harm to the scholar's or scholars' person or property;
2. Causing a substantially detrimental effect on the scholar's or scholars' physical or mental health;
3. Substantially interfering with the scholar's or scholars' academic performance; or

4. Substantially interfering with the scholar's or scholars' ability to participate in or benefit from the services, activities, or privileges provided by a school.

#### Expectations and Acknowledgments

1. Ryan Banks Academy prohibits bullying.
2. RBA expects all scholars to conduct themselves with a proper regard for the rights and welfare of other scholars.
3. Bullying is contrary to Illinois law and the policy of RBA
4. RBA shall promptly investigate and address reports of bullying.
5. RBA shall utilize a variety of interventions to address bullying which may include school social work services, restorative measures, social-emotional skill building, counseling, school psychological services and community-based services. "Restorative measures" means a continuum of school-based alternatives to exclusionary discipline, such as suspensions and expulsions, that
  - (i) are adapted to the particular needs of RBA and the community,
  - (ii) contribute to maintaining school safety,
  - (iii) protect the integrity of a positive and productive learning climate,
  - (iv) teach scholars the personal and interpersonal skills they will need to be successful in school and society,
  - (v) serve to build and restore relationships among scholars, families, RBA, and communities, and
  - (vi) reduce the likelihood of future disruption by balancing accountability with an understanding of scholars' behavioral health needs in order to keep scholars in school.
6. RBA will not tolerate bullying reprisals or retaliation. Such actions will be treated as bullying for the purposes of determining appropriate consequences or other remedial actions.
7. No scholar will be punished for reporting bullying or supplying information even if the investigation concludes that no bullying occurred. However, **knowingly** making a false accusation or providing false information will be treated as bullying for purposes of determining appropriate consequences or other remedial actions.
8. Staff members will (1) intervene immediately to stop a bullying incident that they witness, (2) report bullying, whether they witness it or not, to an administrator, and (3) inform the administration of locations on school grounds where additional supervision or monitoring may be needed to prevent bullying. At RBA, Administration is considered the CEO or the Director of Operations.

#### **Bullying, Intimidation, and Harassment Prohibited**

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.

No scholar, teacher, or staff shall harass, intimidate, or bully a student on the basis of actual or perceived: race; color; national origin; military status; unfavorable discharge status from military service; sex; sexual orientation; gender identity; gender-related identity or expression; ancestry; age; religion; physical or mental disability; order of protection status; status of being homeless; actual or potential marital or parental status, including pregnancy; association with a person or group with one or more of the aforementioned actual or perceived characteristics; or any other distinguishing characteristic. RBA will not tolerate harassing, intimidating conduct, or bullying, including sexual harassment, whether verbal, physical, sexual, or visual, that affects tangible benefits of education, that unreasonably interferes with a student's educational performance, or that creates an intimidating, hostile, or offensive educational environment. Examples of prohibited conduct include name-calling, using derogatory slurs, stalking, sexual violence, causing psychological harm, threatening or causing physical harm, threatened or actual destruction of property, or wearing or possessing items depicting or implying hatred or prejudice of one of the characteristics stated above.

"Cyber-bullying" means 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 Section. "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 in this Section.

Nothing in this Section is intended to infringe upon any right to exercise free expression or the free exercise of religion or religiously based views protected under the First Amendment to the United States Constitution or under Section 3 of Article 1 of the Illinois Constitution.

### **Sexual Harassment Prohibited**

Sexual harassment of students is prohibited. Any person, including a district employee or agent, or student, engages in sexual harassment whenever he or she makes sexual advances, requests sexual favors, and/or engages in other verbal or physical conduct, including sexual violence, of a sexual or sex-based nature, imposed on the basis of sex, that:

1. Denies or limits the provision of educational aid, benefits, services, or treatment; or that makes such conduct a condition of a student's academic status; or
2. Has the purpose or effect of:
  - i. Substantially interfering with a student's educational environment;
  - ii. Creating an intimidating, hostile, or offensive educational environment;
  - iii. Depriving a student of educational aid, benefits, services, or treatment; or
  - iv. Making submission to or rejection of such conduct the basis for academic decisions affecting a scholar.

The terms "intimidating," "hostile," and "offensive" include conduct that has the effect of humiliation, embarrassment, or discomfort. Examples of sexual harassment include touching, crude jokes or pictures, discussions of sexual experiences, teasing related to sexual characteristics, gender-based harassment, and spreading rumors related to a person's alleged sexual activities. The term sexual violence includes a number of different acts. Examples of sexual violence include, but are not limited to, rape, sexual assault, sexual battery, sexual abuse, and sexual coercion.

### **Making a Complaint; Enforcement**

Students are encouraged to report claims or incidences of bullying, harassment, sexual harassment, or any other prohibited conduct to any staff member.. A student may choose to report to a person of the student's same sex. Complaints will be kept confidential to the extent possible given the need to investigate. The staff member will report the incident to the Nondiscrimination Coordinator or the Incident Manager. The Nondiscrimination Coordinator will evaluate all express requests for confidentiality, considering whether and to what extent it can honor such request while also meeting its obligations under the law to respond to unlawful harassment, and will inform the person making such request of his or her determination before obtaining the information the student wishes to keep confidential. Students who make good faith complaints will not be disciplined.

The Nondiscrimination Coordinator or designee shall use interventions as necessary to protect the Complainant during the investigation, such as but not limited to, physically separating the Complainant and accused with minimum burden on the Complainant, providing an adult escort for safety, academic support



(including recalculating grades if necessary), school social work services or other counseling at no cost to Complainant, and school psychological services.

An allegation that a student was a victim of any prohibited conduct perpetrated by another student shall be referred to the Complaint Manager or Building Principal for appropriate action. A student may choose to report to a person of the student's same sex. Complaints will be kept confidential to the extent possible given the need to investigate. Students who make good faith complaints will not be disciplined.

All RBA employees who personally observe or become aware of a formal or informal complaint of prohibited conduct shall immediately notify the Incident Manager. Failure to report known acts of harassment to the Incident Manager is a work rule violation and could result in disciplinary action against the employee, including but not limited to a letter of reprimand, suspension with or without pay or termination.

In addition to making reports of bullying and harassment to the Incident Manager, if an employee observes prohibited acts, they are encouraged to intervene to stop the harassment unless circumstances would make such intervention dangerous.

The Incident Manager will inform the Nondiscrimination Coordinator as soon as possible of all complaints and reports received under this policy. As the incident is investigated, the Incident Manager 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.
- Involve appropriate school support personnel and other staff persons with knowledge, experience, and training on bullying prevention, as deemed appropriate, in the investigation process.
- Promptly inform parents / guardians of all scholars involved in the alleged incident of bullying (consistent with federal and State laws and rules governing scholar privacy rights)
- Provide parents / guardians of the scholars who are parties to the investigation information about the investigation and an opportunity to meet with the CEEO or his designee to discuss the investigation, the findings of the investigation, and the actions taken to address the reported incident of bullying (consistent with federal and State laws and rules governing scholar privacy rights)

The CEEO shall insert into this policy the names, addresses, and telephone numbers of RBA's current Nondiscrimination Coordinator and Incident Manager. At least one of these individuals will be female, and at least one will be male.

**Nondiscrimination Coordinator:**

Name: Richard Glass, Jr.  
Address: 5401 South Wentworth Avenue  
Email: richard@ryanbanksacademy.org  
Telephone: 312.585.5885

**Incident Manager:**

Name: Karen Swaback  
Address: 5401 South Wentworth Avenue  
Email: karen@ryanbanksacademy.org  
Telephone: 630-880-2571

The Chief Executive and Education Officer (CEEO) shall use reasonable measures to inform staff members and students of this policy, such as, by including it in the appropriate handbooks.

Any RBA employee who is determined, after an investigation, to have engaged in conduct prohibited by this policy will be subject to disciplinary action up to and including discharge. Any RBA scholar who is determined, after an investigation, to have engaged in conduct prohibited by this policy will be subject to disciplinary action, including but not limited to, suspension and expulsion consistent with the behavior policy. Any person making a knowingly false accusation regarding prohibited conduct will likewise be subject to disciplinary action up to and including discharge, with regard to employees, or suspension and expulsion, with regard to scholars.

A reprisal or retaliation against any person who reports an act of harassment or sexual harassment is prohibited.

**Forms and Record Keeping**

The CEEO shall ensure that an incident form is made available to complainants upon request.

The Incident Manager or a designated School employee shall document all reports of incidents of sexual harassment, and their subsequent investigations, including but not limited to, notes of witness interviews, statements, video footage, etc., and RBA shall establish a protocol for recordkeeping of such incidents, investigations, findings, and appeals.

**Revision Table**

Approval Date	Approved by	Comments
8/30/21	Richard Glass	Original Issue
9/24/21	Richard Glass	Additions to meet ISBE requirements: a) definition of cyber-bullying, b) policy does not infringe on free speech or religion, c) parents notified promptly, d) definitions of restorative measures, d) procedures for prompt investigation, including effort to complete within 10 days, e) policy engaged school stakeholders, f) policy posted on website, g) policy distributed to RBA employees, h) yearly evaluation of policy