

POLICY

The safety and well-being of the children and adults we serve, and staff employed by Easterseals is crucial to the agency. It is the policy of Easterseals to comply with ISBE Bullying policy, in accordance with 105 ILCS 5/27 through 23.7. It is also the policy of Easterseals to fully comply with the requirements of the Abused and Neglected Child Reporting Act (325 ILCS 5/1 through 5/11) and DHS Office of the Inspector General Rule 50 regarding the reporting of abuse/neglect allegations, and to provide a harassment and discrimination free environment for persons served and employees. Bullying is contrary to both Illinois State law and Easterseals policy.

A. Definition of Bullying

“Bullying,” including “cyberbullying,” is 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.

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.

Further examples of Bullying include but are not limited to:

- Student we serve/staff demeanor and voice tone in close to proximity to another student we serve is demeaning, threatening, or harmful emotionally to student/adult we serve.
- Student we serve/staff with repetitive actions of intimidation toward another student/adult we serve (physical, verbal, etc.).
- Mocking, provoking, and targeting other students we serve with physical aggression despite interventions and modifications to programming.

Acts of bullying may also be addressed in conjunction with the following policies if applicable: Harassment/Discrimination (Easterseals HR Policy 2.25 Harassment and Discrimination), and Abuse and Neglect (Easterseals HR Policy 2.18 Abuse and Neglect and 2/18a Abuse and Neglect Policy 18 years or older).

Harassment/Discrimination

Harassment on the basis of any other legally protected characteristic is also strictly prohibited. Under this policy harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, religion, sex, age, national origin, disability, or any other characteristic protected by law that:

1. Has the purpose or effect of creating an intimidating, hostile or offensive work environment;
2. Has the purpose or effect of unreasonably interfering with an individual's work performance; or
3. Otherwise adversely affects an individual's employment opportunities.

Harassing conduct includes, but is not limited to: epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes and display or circulation in the workplace of written or



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graphic material that denigrates or shows hostility or aversion toward an individual or group (including through e-mail).

Abuse/Neglect

This policy includes any bullying to persons serviced by Easterseals that would also be considered Abuse/Neglect. Specifically, this policy requires all employees of Easterseals to report suspected child maltreatment and any abuse/neglect to persons over 18 years of age.

B. Procedures

Reporting

Students, staff, and parents/guardians shall immediately report in person, by phone or in writing any concerns about bullying incidents to the Director of Educational and Clinical Services, Mary “Betsey” Tallon via e-mail at btallon@eastersealschicago.org, or phone (312) 491-4110 or Chief Executive Officer, Sara Ray Stoelinga at srstoelinga@eastersealschicago.org or phone (312) 491-4110.

Anonymous reports can also be made in writing, via phone or through an electronic Bully Reporting Form accessible via the Easterseals homepage at <https://www.easterseals.com/chicago/> which will be posted individually on the website, as well as embedded in the Parent Handbook, also posted to the website.

Consistent with federal and state laws governing student privacy rights, the Director of Educational and Clinical Services will promptly inform all parents and guardians of all students involved in the alleged incident, as well as the onsite principal and/or their designee. The availability of social work services and other potential student and family supports will be discussed with the parent or guardian.

Investigation

The Director of Educational and Clinical Services, in conjunction with the onsite Academy Principal will:

- Within 10 days, investigate and respond to allegations of bullying behavior;
- Determine whether a reported act of bullying is within the permissible scope of Easterseals’ jurisdiction;
- Keep written documentation of all allegations of bullying behavior and outcomes of the investigations, and report alleged and substantiated incidents to the student’s home school district, Easterseals Chief Executive Officer, Chief Operating Officer, and Board of Directors;
- Inform parent(s) or guardian(s) of the student(s) who was alleged to have bullied AND of the student(s) who was believed to have been bullied that a report of an alleged incident of bullying has been made;
- Communicate to the parent(s) or guardian(s) of a student(s) who was believed to have been bullied the measures being taken to ensure the safety of the student(s) who was believed to have been bullied and to prevent further acts of bullying;
- Inform parent(s) or guardian(s) of the students involved the findings of the investigation and actions to be taken;
- Communicate with local or state law enforcement agency if it’s believed that the pursuit of criminal charges or a civil action may be appropriate;
- Maintain confidentiality throughout the investigatory process to the extent consistent with a thorough and adequate investigation and appropriate corrective action;
- Involve appropriate school support personnel and other staff persons with knowledge, experience, and



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- training on bullying prevention, as deemed appropriate, in the investigation process;
- Consistent with Federal and State laws and rules governing student privacy rights and provide 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.

Responsive Action

Misconduct constituting harassment, discrimination and/or retaliation will be dealt with appropriately with consideration to all the facts and circumstances involved to determine the appropriate way to address the matter. Responsive action may include, for example, training, referral to counseling and/or disciplinary action such as warning, reprimand, reassignment, temporary suspension without pay or termination.

The agency will provide the victim with information regarding services that are available within Easterseals, as well as the student's home district and community, such as counseling, support services, and other programs.

The agency will provide individuals engaging in bullying with interventions to address bullying including but not limited to school social work services, restorative measures, social-emotional skill building, counseling, school psychological services, and community-based services.

Educational Programs

Educational programs to heighten sensitivity to the nature of discrimination, harassment and relation are essential to the establishment of a work environment that is free from bullying, unlawful discrimination, harassment, and retaliation. Staff will complete annual training related to these topics; trainings will be documented and maintained onsite.

Evaluation of Policy Effectiveness

Easterseals will evaluate the effectiveness of the bullying policy by examining the following factors:

- 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.

The information developed as part of the evaluation process will be posted on the district website.

Non-Retaliation

Easterseals prohibits harassment, discrimination, or retaliation of any kind against individuals who make reports covered by this policy, or who cooperate in the investigation of such reports. Retaliation includes, but is not limited to, action adversely affecting the terms or conditions of the individual's employment, threats of physical harm, loss of job, punitive work assignments, reductions in salary or wages or other acts that could tend to cause any person or employee to be uncomfortable reporting a complaint or potential violation of the law or an Agency Policy. Anyone who believes that they have been retaliated against may file a complaint with the Vice President of Human Resources or the Chief Operating Officer.



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Retaliation prohibited by this policy will result in disciplinary action against the retaliator, up to and including termination of employment or other appropriate action with a board member or volunteer. Depending on the circumstances, civil and criminal prosecution may result. This protection from retaliation does not prohibit Easterseals from managing its business in the normal course and supervisors may continue to manage and act, including disciplinary action, within the usual scope of their duties and based on performance-related factors. Individuals who make frivolous or capricious claims or false allegations under this policy will also be subject to disciplinary action.

C. Policy Development, Notification and Posting

The Bullying Policy will be reviewed at least bi-annually and updated to incorporate feedback from staff, students, parents/guardians, serving districts, Easterseals Board of Directors, Executive Management and Administration. The Bullying Policy shall be posted on the Easterseals website, included in the Parent Handbook (distributed annually to parents and accessible via the website) and Employee Policy Manual. New employees will review and sign the Bullying Policy to acknowledge receipt and understanding on their start date.