

Model Protocol for Bullying in DuPage County Schools

Prepared by the DuPage County
Anti-Bullying Task Force
Best Practices Committee

January 2011

IMPORTANT NOTES:

This Protocol is intended as a guiding resource for school districts engaged in developing effective strategies for bullying prevention and intervention. Districts may edit or modify the Protocol as appropriate for their situations, however, careful consideration and discussion should be given to all the recommendations. As a reminder, Illinois statute 105 ILCS 5/10-20.14 requires school districts to establish and maintain a parent-teacher advisory committee to develop, with the school board, policy guidelines on pupil discipline and inform parents and students of the contents of the policy within certain timeframes.

This Protocol was designed to accompany the Best Practices Manual which addresses additional relevant state and federal statutes. Districts are cautioned to obtain legal advice prior to adopting a new Bullying Policy or Protocol to ensure compliance with current state and federal laws.

Bullying Protocol

BACKGROUND

This school is committed to providing a safe, caring and positive environment to maximize the learning experience and opportunities for all students. Every member of this school community must take personal responsibility for the emotional and physical safety of one another and the environment. It is a violation of school policy for any student to bully, harass or intimidate another student and it will not be tolerated.

This Bullying Protocol establishes practices and procedures for handling observed and reported incidents of bullying. Questions about any aspect of the Protocol should be addressed to the Coordinator of Bullying Prevention and Intervention (referred to as “Coordinator”).

BULLYING DEFINITION

Bullying can take many forms including physical, verbal, emotional, relational and cyber-bullying. It can be direct or indirect, blatant or subtle. Both boys and girls engage in bullying and its harmful, long-term negative consequences are well documented.

The Illinois legislature defines “Bullying” as meaning:

“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.”

105 ILCS 5/27-23.7(b)

The DuPage County Anti-Bullying Task Force developed this concise definition of bullying as any type of conduct that may:

1. Reflect a coercive **imbalance of power**; AND
2. Is **severe, pervasive** and often **purposeful** and **repeated**; AND
3. Places an individual in (a) **reasonable** fear of **substantial** detrimental effect to his or her person or property; or (b) to otherwise substantially interfere in a student’s academic performance or ability to participate in any school related activity.

For purposes of this Protocol, “Conduct” may include:

- Physical acts, such as inappropriate, unwanted, uninvited, or injurious physical contact with another; stalking; sexual assault; and destruction or damage to property of another;
- Written and electronic communication of any type that incorporates language or depictions that would constitute bullying, using any medium (including, but not limited to, cell phones, computers, websites, electronic networks, instant messages, text messages and emails);
- Verbal threats made to another, blackmail, or demands for protection money;
- Non-verbal threats or intimidation such as aggressive or menacing gestures;
- Direct or indirect, relationally aggressive behavior such as social isolation, rumor spreading, or damaging someone’s reputation;
- Any of the above conduct which occurs off school grounds when such conduct creates, or reasonably can be expected to create, a substantial disruption in the school setting and/or at school sponsored activities and events.

In addition to that conduct described above, *examples* of conduct that may constitute bullying include the following:

- Blocking access to school property or facilities;
- Stealing or hiding or otherwise defacing books, backpacks or other personal possessions;
- Repeated or pervasive taunting, name-calling, belittling, mocking put-downs, or demeaning humor relating to a student’s race, color, gender, sexual orientation, ancestry, religion, disability, or other personal characteristics, whether or not the student actually possesses them, that could reasonably be expected to result in the disruption of school activities or that results in a hostile educational environment for the student.

Conduct that would not ordinarily be considered bullying include:

- Mere teasing
- “talking trash”
- Trading of insults
- The expression of ideas or beliefs (expressions protected by the First Amendment), so long as such expression is not lewd, profane, or intended to intimidate or harass another.

Note: In an effort to be concise throughout this Protocol, we frequently refer to the perpetrator of bullying behavior as the “bully” however, school personnel should be careful not to label a student as a “bully.” It is best to refer to those students as “exhibiting bullying behavior” which focuses on the behavior rather than the person.

SCHOOL POLICY AND PREVENTION PRACTICES

Critical to the establishment of a Bullying Protocol is the development of a comprehensive bullying policy and school-wide strategies for effective bullying prevention and intervention. Best practices in bullying prevention include:

- School establishes and enforces an effective Bullying Policy that:
 - Clearly defines bullying behavior and provides examples
 - Clearly establishes school rules and expectations for all members of the school community
 - Communicates rules and expectations to all students, staff and parents
 - Requires staff to consistently enforce school rules and encourages students to take personal responsibility for creating a physically and emotionally safe learning environment
 - Provides additional instructional opportunities to address pro-social skills to prevent bullying
 - Makes age appropriate, non-punitive remediation a priority
 - Recognizes the importance of increased adult supervision in known “hotspots”
- School identifies a “Coordinator” responsible for:
 - Knowing federal and state definitions, requirements and ramifications for bullying, harassment and intimidation (refer to “DuPage County Anti-Bullying Task Force Best Practices Manual” for statutes and discussions about legal requirements and ramifications)
 - Tracking all reported bullying incidents
 - Ensuring bullying awareness training is available to all students, staff and parents
 - Securing data about the frequencies, types and locations of bullying in the school
- Social emotional learning skills are embedded throughout the curriculum
- School promotes a welcoming, caring, safe culture and climate
 - School actively seeks input regarding school climate
 - School regularly surveys stakeholders about climate
 - All staff and students take personal responsibility for establishing a caring environment
 - School encourages and positively reinforces students’ reporting of bullying incidents

SCHOOL RESPONSE AND PRACTICES

School personnel must report and/or investigate all incidents of bullying and take appropriate action whether they personally observe incidents or learn of them by some other means. Reporting, investigation and action must occur even if the victim does not file a formal complaint or does not express overt disapproval of the incident. Adult non-intervention establishes a climate of fear, reinforces students’ beliefs that bullying is “normal” and must be tolerated, and enables the bullying behavior. Furthermore, non-intervention may expose the school district to potential liability.

The School's reporting system must be robust and comprehensive. It identifies who, what, where, when, why and how bullying took place. All bullying incidents should be recorded, investigated and tracked. The Coordinator responsible for investigating and tracking all bullying incidents should have experience in promoting pro-social skills. It may be necessary to have both a male and female staff person available to investigate some incidents.

Students should be offered a variety of ways to report bullying such as:

- Anonymous box located in a "safe" spot such as the counselor or dean's office
- Anonymous "hotline"
- Email, text, online, telephone
- In person to any staff member
- Peer or parent reports

STAFF RESPONSE PROTOCOL

- 1) INTERVENE - Staff members must intervene immediately or as quickly as reasonably possible to address bullying behavior.
 - a) Identify bullying behaviors. Focus on the behavior not the person. Refer to the classroom or school rules.
 - b) Stop the behavior. Get in between target(s) and perpetrator(s) if safe to do so. Resist the temptation to dismiss the bullying as normal ("boys will be boys" and "girls will be girls") behavior for that age.
 - c) Conference with the student(s) SEPARATELY.

IMPORTANT NOTE

Peer mediation and conflict resolution work best when both parties involved want to resolve a problem. *They are NOT recommended as bullying intervention strategies because bullying involves an abuse of power and control and these techniques may re-victimize the bullying target.*

- 2) INVESTIGATE – All reports of bullying incidents should be recorded and investigated in a timely fashion – within 24 hours (when possible) of receiving initial report.
 - a) All reports of bullying should be addressed by any District employee to whom bullying is reported or who observes actions that appear to constitute bullying. All staff should receive training to recognize what constitutes bullying under the statutory definition. If there is any doubt on the part of the employee about whether a reported or observed action constitutes "bullying" under the statutory definition, the incident should be reported to the Coordinator who handles reports of bullying. In that way, reports of bullying will receive the appropriate and proper attention.

- b) The staff person responsible for investigating or who receives the report about bullying behavior should:
 - i) Use the Bullying Incident Form to record details about the incident.
 - ii) Interview student(s) exhibiting bullying behavior and the target/victim(s) *separately* to avoid further victimization of the target.
 - (a) Engage the target/victim first:
 - (i) Focus on his/her safety.
 - (ii) Reassure him/her that the bullying behavior will not be tolerated and that all possible steps will be taken to prevent a reoccurrence.
 - (iii) Ask what happened and how he/she feels about it.
 - (iv) It is generally best to advise the student to walk away/ignore the behavior, use humor to dismiss it, tell the bully to stop and/or seek help from an adult. It is not advisable to suggest the victim stand up to the bully or fight back.
 - (v) Involve the victim in a peer support group, or cooperative learning group or offer counseling if needed.
 - (vi) Ask student to log any future bully/victim situations for the purpose of providing documentation.
 - (b) For the perpetrator:
 - (i) Have the student identify the problem using an I statement. If they are unable to admit to a problem, say “I’ve been hearing that…” or “I have observed you…”
 - (ii) Ask questions and gather information. Praise honesty.
 - (iii) Ask “What was wrong with what you did?”
 - (iv) Ask “What problem were you trying to solve?” (not “Why did you do it?”)
 - (v) Ask “Next time you have that problem, how will you solve it?”
 - (vi) Remind the student of the school rules and policies, expectations for behavior and his/her personal responsibility for the learning environment.
 - (vii) Utilize remediation measures and consequences according to the Bullying Matrix.
 - iii) Submit Incident Form and interview notes to the Coordinator. The Coordinator will determine whether bullying may also rise to the level of harassment based on protected categories under federal and state law, such as race, color, sex, national origin, disability, religion and sexual orientation, and take appropriate action as warranted.
 - iv) Take interim action to prevent bullying or retaliation during the course of the investigation.
 - v) Work in collaboration with the Coordinator and/or school administrators to determine remediation and consequences in cases of severe or repeated incidents. It may also be necessary to alert other teachers to the bullying behavior to ensure the safety of, and support for, the students involved.
- c) If a student reports bullying behavior to a staff member, do not dismiss it as tattling, particularly if the student reporting is trying to keep another student safe. Thank the student who made the report!

- 3) **REPORT** - All bullying incidents should be reported to the Coordinator using the Bullying Incident Report Form.
 - a) Repeated or severe incidents should be promptly referred to school administration.
 - b) All information concerning complaints or incidents of bullying should be treated confidentially at all times. When talking with parents, teachers and administrators cannot name the other students involved and cannot indicate disciplinary measures utilized.
 - c) Inform the parents of the bully and the victim of the behavior as quickly as possible. A call home the same day is preferable, followed by an appointment at school with the parents if necessary. Early intervention is most effective before patterns of behavior are established. Invite the parents to collaborate on a solution. Do not bring the parents of the victim and the bully together.

- 4) **REMEDICATION AND CONSEQUENCES** - It is the responsibility of the adult staff to use violations of the school rules as opportunities to help students improve their social and emotional skills, accept personal responsibility for their learning environment, and understand consequences for poor choices and behaviors. A clear distinction exists between remediation and consequences.
 - a) Remediation, intended to counter or “remedy” a behavioral mistake, can be an effective prevention practice. Remediation measures are intended to correct the problem behavior, prevent a reoccurrence, protect and provide support for the victim and take corrective action for documented systemic problems related to bullying and harassment. Remediation measures allow the student an opportunity to reflect on behaviors, learn pro-social skills and make amends to those affected.
 - b) Consequences, tend to be punitive in nature and should be used only when appropriate and almost always in conjunction with remediation measures.

Consequences and remediation should be applied based on the Bullying Behavior Matrix (attached) and considering a number of factors including:

Student Considerations:

- Age and developmental maturity of the students involved;
- Nature, frequency and severity of the behaviors;
- Relationships of the parties involved;
- Context in which the alleged incidents occurred;
- Patterns of past or continuing behaviors;
- Other circumstances that may play a role.

School Considerations:

- School culture, climate and general staff management of the learning environment;
- Social emotional and behavioral supports;
- Student-staff relationships and staff behavior toward the student;
- Family, community and neighborhood situation;
- Alignment with policies and procedures;

Examples of remedial measures and consequences may include, but are not limited to, the examples listed below:

Examples of Remedial Measures

Personal - Student Exhibiting Bullying Behavior

- Develop a behavioral contract with the student. Ensure the student has a voice in the outcome and can identify ways he/she can solve the problem and change behaviors.
- Meet with parents/family to develop a family agreement to:
 - Ensure parent/family/student all understand school rules and expectations
 - Explain the long term negative consequences of bullying on all involved
 - Understand consequences if bullying behavior continues
- Meet with school counselor, social worker or psychologist to:
 - Decipher mental health issues – what is happening and why?
 - Develop a learning plan with consequences and skill building
 - Consider wrap-around support services
- Additional social skill training such as impulse control, anger management, developing empathy and problem solving.
- Arrange for apology – written is recommended
- Reflective essay to ensure student understands the impact of their actions on others
- Research and teach a lesson to class about bullying, empathy or similar topic (related to incident)
- Restitution – particularly if any personal items were damaged or stolen
- Restorative Practices (age appropriate)
- Follow-up conference with student

Personal – Target/Victim

- Meet with trusted staff member to:
 - Explore feelings about incident
 - Develop a plan to ensure student’s emotional and physical safety at school
- Meet with guidance counselor or social worker to:
 - Ensure student does not feel responsible for behavior
 - Ask student to log behaviors in the future
 - Develop skills, tools, strategies to resist bullying
- Follow-up conference with student

Parents, Family and Community

- Development of a family agreement
- Referral for family counseling

- Parent education workshops related to bullying and social emotional learning;

Environmental (Classroom, School Building)

- School and community surveys or other strategies for determining the conditions contributing the bullying
- School policy and procedures revisions
- Adoption of research based Social and Emotional Learning curriculum or more focused effort on embedding SEL in existing school curricula
- Communicate behavioral expectations with students, parents, and staff
- Modifications of student schedules, or routes traveling to/from school
- Increased supervision in known areas for bullying such as the locker room, hallways, cafeteria, playground, school perimeter and bus
- Increased supervision of student(s) before and after school, including school transportation
- Professional Development for staff to learn effective intervention and prevention strategies
- Involvement of parent-teacher organization.

Examples of Consequences

- Admonishment/conference with student (verbal warning)
- Written warning
- Temporary removal from the classroom
- Deprivation of privileges
- Detention (classroom or administrative)
- Referral to disciplinarian
- Parental Notification - Letter sent home to Parent(s)
- Parental Notification - Phone call to parent
- In school suspension (after school, weekend)
- Out of school suspension
- Legal action
- Report to law enforcement if required
- Expulsion

References:

“DuPage County Anti-Bullying Best Practices Manual.” January 2011.

New Jersey “Model Policy and Guidance for Prohibiting Harassment, Intimidation and Bullying on School Property, at School-Sponsored Functions and on School Buses.” Revised November 2008.

Consequences and *Remediation* for Bullying Behavior Matrix

Number of Past or Continuing Behaviors	<p><u>Low Severity/Repeat Offense(s)</u> Written warning Detention (classroom or administrative) Referral to disciplinarian Parental Notification In school suspension (after school, weekend) Out of school suspension</p> <p><i>Apology</i> <i>Behavioral contract</i> <i>Additional pro- social skills training</i> <i>Research and instruct a lesson on bullying</i> <i>Hold meeting with parents</i> <i>Student to meet with school counselor</i></p>	<p><u>High Severity/Repeat Offenses</u> In school suspension (after school, weekend) Parental Notification Out of school suspension Legal action Report to law enforcement if required Expulsion</p> <p><i>Apology</i> <i>Behavioral contract</i> <i>Additional pro-social skills training</i> <i>Decipher mental health issues</i> <i>Restitution</i> <i>Restorative Practices</i></p>
	<p><u>Low Severity/First Offense</u> Admonishment/conference with student (verbal warning) Temporary removal from the classroom Deprivation of privileges (recess, extracurricular) Parental Notification</p> <p><i>Reflective essay</i> <i>Apology</i> <i>Additional pro- social skills training</i></p>	<p><u>High Severity/Low Offenses</u> Detention (classroom or administrative) Referral to disciplinarian Report to law enforcement if required Parental Notification In school suspension (after school, weekend) Out of school suspension</p> <p><i>Apology</i> <i>Behavioral contract</i> <i>Additional pro-social skills training</i> <i>Research and instruct a lesson on bullying</i> <i>Hold meeting with parents</i> <i>Student to meet with school counselor</i></p>
	<i>Nature and Severity of Behaviors</i>	