AMERICAN MONTESSORI ACADEMY

Bullying, Harassment, Discrimination, Hazing, Sexual Assault, and Sexual Harassment

TABLE OF CONTENTS

Definitions 2
Legal Definitions And School Policies 4
Reporting Complaints 5
Retaliation 6
False Complaints 6
Responding To Complaints 6
Interventions 7
Parent/Guardian Notification and Restorative Measures 8
Notification To Government Authorities 9
Sanctuary Policy Applicable To Sexual Assault 9
Policy Evaluation Process 9

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American Montessori Academy (or “School”) does not tolerate verbal or physical behavior that constitutes bullying (including cyber- bullying), harassment or discrimination, hazing, sexual assault and sexual harassment (also referred to as “interpersonal misconduct”). The School is also committed to promptly addressing any behavior that impedes the learning of any student or interferes with the experience of any other member of the school community.

Bullying, harassment, discrimination, hazing, sexual harassment and sexual assault are prohibited on the School’s campus, School-sponsored events, activities, and off-campus trips. School- owned technology may not be used to intimidate, harass, threaten, or bully another student. In addition, interpersonal misconduct is prohibited at a location, activity, function, or program that is not School-related or through the use of technology or an electronic device that is not owned, leased or used by the School, if such conduct: (a) creates a hostile environment at school for a student, (b) infringes on the rights of a student at the School, or (c) substantially disrupts the educational process or the School’s orderly operations.

Definitions

Aggressor: A student or faculty/staff member who engages in bullying (including cyber-bullying), harassment, discrimination, hazing, sexual assault, sexual harassment or retaliation towards another person.

Bullying: Bullying is prohibited under the laws of the State of Illinois and the policies of the School and is defined as the use of a written, verbal or electronic expression or a physical act or gesture, or any combination thereof, by one or more students or members of the faculty/staff directed at a target that:

> (a) places the student or students in reasonable fear of harm to the student's or students' person or property;
> (b) causes a substantially detrimental effect on the student's or students' physical or mental health;
> (c) substantially interferes with the student's or students' academic performance; or
> (d) substantially interferes with the student's or students' ability to participate in or benefit from the services, activities, or privileges provided by the School.
> Bullying occurs over an extended period of time (one instance does not connote bullying) and must involve a power differential.

The School recognizes that certain students may be more vulnerable to becoming targets of bullying or harassment based on actual or perceived differentiating characteristics, including race, color, religion, ancestry, national origin, sex, socioeconomic status, homelessness, academic status, gender identity or expression, physical appearance, pregnant or parenting status, sexual orientation, mental, physical, developmental, or sensory disability, or by association with a person who has or is perceived to have one or more of these characteristics.

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 State Constitution or under Section 3 of Article 1 of the Illinois Constitution.

Cyber-Bullying: Cyber-bullying is bullying through the use of technology or electronic communication, including, but not limited to, 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, photo electronic or photo optical system, including, but not limited to, electronic mail, internet communications, instant messages or facsimile communications. Cyber-bullying includes, but is not limited to: (a) the creation of a web page or blog in which the creator assumes the identity of another person, and (b) the knowing impersonation of another person as the author of posted content or messages, if the creation or impersonation constitutes bullying conduct as defined above. Cyber-bullying includes, but is not limited to, 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 conditions included in the definition of bullying. When a claim of cyberbullying is made, the school shall investigate to first determine if the alleged offense is within the permissible scope of the School's jurisdiction. The school shall also provide information regarding services that are outside of the scope of what is provided at the school such as counseling.

Faculty/Staff: Faculty/staff members include, but are not limited to, educators, administrators, counselors, school nurses, dining services workers, custodians, bus drivers, athletic coaches, advisors to extracurricular activities, support staff and paraprofessionals.

Harassment Or Discrimination: Harassment or discrimination is behavior that is pervasive or severe and has the purpose or effect of:

(a) creating an intimidating, hostile or offensive environment;
(b) interfering unreasonably with a student's academic performance; or
(c) creating a situation where academic decisions of a student depend on the student submitting to and/or not objecting to the behavior.

Harassment and discrimination can take many forms. Examples include limiting opportunities to participate in certain activities based on certain characteristics, as well as slurs, jokes, statements, remarks, questions, gestures, pictures, emails, texts, or cartoons regarding a legally protected status that are derogatory or demeaning to an individual's or group's characteristics or that promote stereotypes. Harassment also includes sexual harassment (as defined below).

Hazing: Hazing means knowingly requiring the performance of any act by a student or other person in a school for the purpose of induction or admission into any group, organization, or society associated with that school if the act is not sanctioned or authorized by the school and, the act results in bodily harm to any person.

Hostile Environment: A hostile environment refers to a situation in which certain misconduct causes the school environment to be permeated with intimidation, ridicule or insult that is sufficiently severe or pervasive so as to alter the conditions of a student's education.

Retaliation: Retaliation is any form of intimidation, reprisal or harassment directed against a student who reports misconduct (including, but not limited to, bullying, harassment, discrimination, hazing, sexual assault or sexual harassment), provides information during an investigation, or witnesses and/or has reliable information about such misconduct.

Sexual Assault: Sexual assault occurs when a person is forced or coerced into sexual activity without giving consent. Sexual activity includes, but is not limited to, touching or fondling, either directly or through the clothing, of another's intimate areas or any contact, intrusion or penetration of another's sex organs, anus or mouth.

Sexual Harassment: Sexual harassment is a type of harassment (as defined above). Sexual harassment includes unwilling and unwanted sexual attention, regardless of gender, from anyone with whom a person may interact in the course of attending the School or being present at school-sponsored activities.

Examples of behavior that may constitute sexual harassment include (regardless of whether the intent or consequence of such behavior is to make the target feel uncomfortable):

1.) offensive body language (staring and/or leering at a person's body or standing/brushing too close);
2.) offensive or unwanted sexual comments, abuse, jokes, insults, delivered orally or in writing; derogatory or pornographic posters, cartoons or drawings;
3.) pressure for sexual activity (such as hazing or threats as well as repeated requests after rejections);
4.) offering favors or benefits in exchange for sexual acts, or threatening mistreatment if one does not engage in sexual acts;
5.) and offensive or unwelcome physical advances (including kissing, hugging, pinching, grabbing, groping, "playful" slapping, etc.).

Target: Any student against whom bullying, harassment, discrimination, hazing, sexual assault or sexual harassment has been perpetrated.

Legal Definitions And School Policies

In accordance with the School's mission, values, and standards of conduct, the School has, at times, supplemented and/or provided broader protections against bullying, discrimination, harassment, and other inappropriate conduct than may be required under applicable laws. In essence, the School's standards may be stricter than the law and the School may impose discipline accordingly. The School's efforts

to enhance its protection of students in no way expand an individual's rights under the law and other applicable laws may supersede this policy. Further, the School may modify and amplify the standards set forth above and use its discretion in the interpretative enforcement of all ideals and standards of conduct. The School's policy is based on the engagement of a range of school stakeholders, including students and parents or guardians and is consistent with the policies of this non-public, non-sectarian elementary school.

Reporting Complaints

A student who is the target of bullying, harassment, discrimination, hazing, sexual assault, or sexual harassment, or who has witnessed such an incident or any incident of retaliation, or who otherwise has relevant information about conduct prohibited by the School, is strongly encouraged to report the matter promptly (either orally or in writing) to the Director of School (Complaint Manager), or to any other administrator or faculty member with whom the student is comfortable speaking.

South Loop Campus School Director: Dominique Matthews (dominique@amaschools.com)

Uptown/Andersonville Campus School Director: Elise McCarthy (elise@amaschools.com)

Reports that are not made in person can be emailed or can be given over the phone to a School Director at (312)-431-8050 (South Loop) or 773-293-6460 (Uptown/Andersonville). If a student is uncomfortable contacting one of these individuals, the student may ask a teacher, another adult staff member, or a classmate to help. Oral reports made to a member of the faculty/staff will generally be memorialized in writing.

With respect to reporting sexual assault in particular, students are strongly urged to speak to a trusted adult on campus or at home. When making such outreach, students may share as little or as much information as they would like.

Parents/guardians of a student who is the target of interpersonal misconduct, or of a student who has witnessed or otherwise has relevant information about such misconduct, are urged to immediately notify the Head of School or another member of the administrative team.

Furthermore, any parent/guardian who has witnessed interpersonal misconduct, or has relevant information concerning such an incident or any incident of retaliation, are strongly encouraged to contact an administrator immediately.

The School urges students and parents/guardians not to make anonymous reports. Although there are circumstances in which an anonymous report can be better than none at all, it is far more difficult to determine the facts of what occurred if

complaints are made anonymously and disciplinary action will generally not be taken against an individual solely on the basis of an anonymous report.

The School cannot promise absolute confidentiality to those reporting bullying, harassment, discrimination, hazing, sexual assault or sexual harassment, as there may be a need to share information during an investigation or otherwise; however, the School will disclose such information with discretion, on a need-to-know basis.

Retaliation

Retaliation is strictly prohibited and any person who retaliates against others for reporting or complaining of violations of this policy or for participating in any manner under this policy will be subject to disciplinary action, up to and including discharge, with regard to employees, or suspension and expulsion, with regard to students.

False Complaints

All persons involved in a complaint or investigation should understand that false or exaggerated accusations can be extremely damaging to innocent persons; therefore, the School expects and requires the honest and full disclosure of facts, taking into account the ages of the individuals, by all involved. Any person who knowingly makes a false accusation of bullying, harassment, discrimination, hazing, sexual assault, sexual harassment as a means of retaliation or as a means of bullying is prohibited and will be treated as bullying for the purpose of determining appropriate consequences.

Responding To Complaints

The goals of an investigation, and any supportive, disciplinary or other remedial process that is imposed following that investigation, are to correct the situation to the extent reasonably possible and to take steps to prevent repetition of the incident and retaliation. The School strives to make all reasonable efforts to complete an investigation within ten (10) school days after the date of the initial report.

When a complaint is brought to the attention of the Head of School or the Head of School's designee, an assessment is made to determine the initial steps appropriate to protect the well-being of the students involved (including both the alleged targets and aggressors) and to prevent disruption of the learning environment while the investigation is undertaken. The School may use strategies, such as increased supervision, stay-away mandates and personal safety plans, as may be appropriate to prevent further misconduct, witness interference and/or retaliation during the course of and after the investigation.

The Head of School or Head of School's designee will conduct an impartial, fact-finding investigation of the complaint. This investigation may include (but is not necessarily limited to) interviews with the complainant, alleged target(s), alleged aggressor(s) and any other witnesses or parties who have information relevant to the alleged incident. The School may consult with faculty, the parents/guardians of the alleged target(s) and/or the alleged aggressor(s), or any other person deemed to have knowledge about, or circumstances surrounding, the complaint.

The School neither tolerates nor engages in retaliation against an individual for filing a complaint about interpersonal misconduct or cooperating in an investigation of such a complaint. The School will not take adverse action against a student for making a good faith report of interpersonal misconduct. An individual who is found to have engaged in retaliation against a student for filing a complaint, or participating in the investigation of a complaint, may be subject to disciplinary action.

Upon completion of the investigation, the Head of School (or the Head of School's designee) will generally make the following determinations:

- Whether and to what extent the allegation of bullying, harassment, discrimination, hazing, sexual assault or sexual harassment has been substantiated.

- Whether any disciplinary action, and/or other remedial action is appropriate and, if so, how it will be implemented.

- Whether any social-emotional skill-building, counseling, or a referral to appropriate services, should be offered to targets, aggressors, or family members of the affected students or targets.

The Head of School (or the Head of School's designee) will determine any appropriate disciplinary action for a student who is found to have committed an incident of bullying, harassment, discrimination, hazing, sexual assault, sexual harassment, or retaliation. The range of disciplinary actions will balance the need for accountability with the goal of teaching appropriate behavior, and may result in restriction, disciplinary notice, mandatory counseling, suspension, separation, dismissal, and/or any disciplinary action deemed appropriate by the School.

Information about consequences or other corrective action may be shared with the School community as deemed appropriate by the Head of School. Such announcements may be made in person, by electronic communication, or otherwise. Resources such as counseling or referral to appropriate services are available to all students – including the alleged aggressor(s) and the alleged target(s) – during and after an investigation.

Interventions

The School will comply with federal and State laws and rules governing student privacy rights, including procedures for promptly informing parents or guardians of all students involved in the alleged incident of bullying and discussing, as appropriate, the availability of social work services, counseling, school psychological services, restorative measures, social-emotional skill building, and community-based services.

Parent/Guardian Notification and Restorative Measures

Consistent with all applicable federal and State laws and regulations governing student privacy rights, the school shall implement procedures to promptly inform the parents or legal guardians of all students involved in an alleged bullying incident. Notification shall occur within 24 hours after the school administration becomes aware of the students' involvement. The school shall make diligent and reasonable efforts to contact parents or guardians within this 24-hour period, utilizing all available contact information on record and any additional contact information that can reasonably be obtained.

During this notification, the school shall, as appropriate, discuss the availability of supportive resources and interventions, including but not limited to social work services, counseling, school psychological services, and other evidence-based supports. The school shall also inform parents or guardians about the use of restorative measures as part of the school's response.

For purposes of this policy, "restorative measures" means a continuum of school-based alternatives to exclusionary discipline, such as suspension or expulsion, that are designed to:

(i) be adapted to the particular needs of the school and its community;
(ii) contribute to maintaining school safety;
(iii) protect the integrity of a positive and productive learning environment;
(iv) teach students the personal and interpersonal skills necessary for success in school and society;
(v) build, strengthen, and restore relationships among students, families, schools, and the broader community;
(vi) reduce the likelihood of future disruption by balancing accountability with an understanding of students' behavioral health needs in order to keep students engaged in the educational setting; and
(vii) increase student accountability when the bullying incident is based on actual or perceived characteristics, including but not limited to religion, race, ethnicity, or any other category protected under the Illinois Human Rights Act.

The school shall document all notification attempts and communications with parents or guardians in accordance with established administrative procedures.

Notification To Government Authorities

In appropriate circumstances, such as when a crime may have been committed or a child may have been subjected to abuse or neglect of the type that is reportable under Illinois law to DCFS, law enforcement or other appropriate government agencies may be notified. At any point after receiving a report of misconduct, including, but not limited to, bullying, harassment, discrimination, hazing, sexual assault or sexual harassment, the School may notify local law enforcement or other government agencies. If South Loop Montessori School receives a complaint involving students from another school, the School may notify the appropriate administrator of the other school so that both may take appropriate action.

Sanctuary Policy Applicable To Sexual Assault

Student health and safety are more important than discipline. Therefore, a student should not refrain from seeking help for fear of discipline by the School. If a student is violating a school rule when the student needs to call for help due to a sexual assault, the student will generally be granted sanctuary from discipline for the rule violation (unless, for instance, the student perpetrated the sexual assault). We reiterate that we strongly encourage students to promptly report to a School employee any incident where the health or safety of a student may be at risk.

Policy Evaluation Process

Throughout the process of the academic school year American Montessori Academy shall keep a log of all observed and reported incidents of bullying in order to evaluate the outcomes and effectiveness of the School's policy. Those logs shall be evaluated twice a year and shall look at

1.) Frequency of victimization
2.) Student, staff, and family observations of safety at school.
3.) Identification of areas of the school building where bullying occurs.
4.) The types of bullying that are common or occurring.
5.) Bystander intervention or participation.