



**Esperanza School & Esperanza Learning Center Policy for
Harassment; Bullying and Intimidation¹**

Purpose

This Bullying Prevention Policy is created pursuant to and is in compliance with Section 22-110 of the Illinois School Code (105 ILCS 5/22-110). Esperanza serves a unique population of students with disabilities, and therefore, the policy set forth herein is tailored to address the needs of Esperanza's student population.

The Illinois General Assembly has found that a safe and civil school environment is necessary for students to learn and achieve and that bullying can cause physical, psychological, and emotional harm to students and interferes with their ability to learn and participate in school activities. It is the goal of the Esperanza Community Services to create a learning environment in its school community where students are protected from bullying so they feel safe and supported in their efforts to succeed academically and develop emotionally into responsible, caring individuals. Additionally, bullying is contrary to State law and the policy of every school district with which Esperanza is affiliated.

Scope

This policy protects Esperanza students against bullying and harassment on the basis of 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, physical appearance, socioeconomic status, academic status, pregnancy, parenting status, homelessness, unfavorable discharge from military service, association with a person or group with one or more of the aforementioned actual or perceived characteristics, or any other distinguishing characteristic. Esperanza Community Services recognizes the particular vulnerability of students with actual or perceived disabilities and those who identify as or are perceived to be lesbian, gay, bisexual or transgender.

Bullying is Prohibited:

- During any school-sponsored or school-sanctioned program or activity;
- In school, on school property, on school buses or other Esperanza provided transportation, and at designated locations for students to wait for buses.
- Through the transmission of information from an Esperanza computer or computer network, or other electronic school equipment;
- When communicated through any electronic technology or personal electronic device while on school property, on school buses at school-sponsored or school-sanctioned events or activities;
- When it is conveyed that a threat will be carried out in a school setting, including threats made outside school hours with intent to carry them out during any school-related or sponsored program or activity or on the bus.
- 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 Esperanza, if the bullying causes a substantial disruption to the educational process or orderly operation of the school. This applies only in cases in which a school administrator or teacher receives a report that bullying through this means has occurred, and does not require Esperanza to staff or monitor any non-school-related activity, function, or program.

Nothing in this policy 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.

Definitions

“Bullying” means any severe or pervasive physical or verbal act or conduct, including communications made in writing or electronically, directed toward a student or students, which has or can be reasonably predicted to have one or more of the following effects:

- 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 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, posting or distributing sexually explicit images, theft, public humiliation, destruction of property, or retaliation for asserting or alleging an act of bullying.

“Bullying” also includes “cyber-bullying.” “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.

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. Beginning with the 2026-2027 school year, pursuant to Section 22-110 of the Illinois School Code, cyber-bullying also includes the posting or distribution of an unauthorized digital replica by electronic means if the posting or distribution creates any of the effects enumerated in the definition of bullying. “Retaliation” means any form of

intimidation, reprisal or harassment directed against a student who reports bullying, provides information during an investigation, or witnesses or has reliable information about bullying. This list is meant to be illustrative and non-exhaustive.

“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 the school and community; (ii) contribute to maintaining school safety; (iii) protect the integrity of a positive and productive learning climate; (iv) teach students the personal and interpersonal skills they will need to be successful in school and society; (v) serve to build and restore relationships among students, families, schools, and communities; (vi) reduce the likelihood of future disruption by balancing accountability with an understanding of students’ behavioral health needs in order to keep students in school; and (vii) increase student accountability if the incident of bullying is based on religion, race, ethnicity, or any other category that is identified in the Illinois Human Rights Act.

“School Personnel” means persons employed by, on contract with, or who volunteer in the school, including without limitation school administrators, teachers, school service providers (e.g., school social workers, school counselors, school psychologists, school nurses), cafeteria workers, custodians, bus drivers, school resource officers, and security guards.

Intervening to Address Bullying and Notification of Bullying

A number of interventions are in place to address and prevent bullying including but not limited to school social work services, restorative measures, and social-emotional skill building.

Responsibilities of Esperanza Staff

All Esperanza employees, who witness incidents of bullying or school violence or who possess reliable information that would lead a reasonable person to suspect that a person is a target of bullying, must:

- Intervene immediately in a manner that is appropriate to the context and ensures the safety of all people involved;
- Promptly report the incident of bullying or retaliation to the Principal - ahellmer@esperanzaschool.org or (312) 243-6097 ext. 156
- Cooperate fully in any investigation of the incident and in implementing any safety plan established by the Principal.

An Esperanza employee or contractor who is aware that bullying is taking place but fails to report it will be considered to have violated this policy and may be subject to discipline.

Responsibilities of Students, Parents and Guardians

No student who witnesses bullying may stand by or participate in the bullying, but must notify an adult at school and an adult at home as quickly as practicable. Any parent or guardian who witnesses or is notified of bullying has an obligation to advise the Principal as quickly as practicable.

Reporting Bullying

Anyone, including staff members, students, and parents/guardians, having knowledge of any incident(s) considered to be acts of bullying as defined in this policy is asked to promptly report the bullying to the Principal. A report may be made by phone, in person, by e-mail, or in writing to:

Anne Hellmer, Principal
Esperanza School
520 N. Marshfield
Chicago, IL 60622
E-mail: ahellmer@esperanzaschool.org
Phone: (312) 243-6097 ext. 156

Anonymous reports may also be made in writing (the attached form may be used) and provided to the address above or left in the Principal's mailbox outside the main office; however, this shall not be construed to permit formal disciplinary action solely on the basis of an anonymous report.

Insurances for Reporting Bullying

All staff, students, and stakeholders who report bullying in good faith shall be protected from any retaliation from their report. If they face retaliation, remedial actions will be taken, including appropriate consequences for the person who engaged in reprisal or retaliation. Additionally, if through investigation it is found that someone falsely accused another of bullying, as a means of retaliation or bullying, remedial action will be taken. Reprisal or retaliation against any person who reports an act of bullying is a violation of this policy and is strictly prohibited. Such reprisal or retaliation will be treated as bullying for the purpose of determining appropriate consequences. No person will be subject to consequences for making a good-faith report of bullying.

Investigation

Upon receipt of a report of bullying, Esperanza will determine whether the reported act of bullying is within the permissible scope of its jurisdiction under this policy. Because Esperanza serves a unique population of students with disabilities, and certain acts may be manifestations of a student's disability rather than an intentional act of bullying, each reported instance of bullying will be reviewed and assessed for the need to investigate on a case-by-case basis, as determined appropriate by the Principal. Regardless of this determination, parents/guardians will be notified within 24 hours as described in the Notification to Family section below.

If the report is determined to be appropriate for investigation and within the school's jurisdiction, Esperanza will follow the procedures below.

- The Principal shall select a designee, employed by the school and trained in investigative procedures, to perform the investigation. Any report of bullying shall be brought to the Principal, or their designee, as soon as possible after the report is filed.

- As deemed appropriate by the investigation, additional personnel with knowledge, experience, and training in bullying prevention shall be included.
- Investigation of a bullying incident shall be initiated within five school days of receipt of a report and completed within 10 school days, whenever reasonable. If additional information is provided later, it shall also be considered.
- Reports of bullying will be kept confidential to the extent possible given the need to investigate the reported claim.
- Consistent with federal and state laws and rules governing student privacy rights, information about the investigation shall be promptly shared with the parents or guardians of the students who are parties to the investigation of the alleged bullying. They shall be provided with an opportunity to meet with the principal or their designee to discuss the investigation, the findings, and the actions taken to address the reported incident of bullying. Additionally, Esperanza will discuss, as appropriate, the availability of social work services, counseling, school psychological services, other interventions, and restorative measures.

When the investigation is complete, the Principal/Designee shall ensure the investigation report is attached to the Incident Report and sent to the home school district.

As a nonpublic, therapeutic school and an agent of Illinois placing school districts, Esperanza may share information regarding incidents of bullying with the referring school district(s) of the students involved, 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. Any student who is determined, after an investigation, to have engaged in an intentional act of bullying will be subject to disciplinary consequences consistent with Esperanza’s disciplinary policies and/or the disciplinary policies of the student’s referring school district, as applicable. Additional services available within the referring school district and community, such as counseling, support services, and other programs, should be discussed directly with the student’s referring school district by the parent/guardian.

Notification to Family

All individual instances of bullying, as well as threats, suggestions, or instances of self-harm determined to be the result of bullying will be reported to the student’s parents or legal guardians within a 24 hour period as outlined here.

On the same day the investigation is initiated, or within 24 hours, the Principal/Designee shall report to the parent/legal guardian of all involved students, via telephone, personal conference and/or in writing, the occurrence of any alleged incident of bullying, and shall document these notifications to the home school district. The school will use all contact information available or that can be reasonably obtained by the school within the 24 hour period.

Notification to ISBE

Esperanza will submit to ISBE non-identifiable data regarding verified allegations of bullying in an annual report. This report will be submitted no later than August 15th of each year.

Imposing Consequences

Consequences for bullying will be tailored to the individual incident, considering the nature of the behavior, the student's developmental age, and the student's history, and will be consistent with the Student Code of Conduct and, as applicable, the disciplinary policies of the student's referring school district. Esperanza will use restorative measures and other non-exclusionary responses whenever they can be used effectively. Guidance for staff on responding to bullying, resolution, and referrals is provided in the Esperanza Bullying Prevention Staff Resource Guide.

Appeal

Any party who is not satisfied with the outcome of the investigation may appeal to the Equal Opportunity Compliance Office (EOCO) for CPS students, or home district representative within 15 calendar days of notification of the Principal's decision.

Esperanza also understands that all community members have the right to contact The Office of Civil Rights and not have any form of retaliation against them. Those contacts are as follows:

The OCR contact information is as follows: Chicago Office, Office for Civil Rights, The U.S. Department of Education and the John C. Kluczynski Federal Building, 230 S. Dearborn Street, 37th Floor, Chicago, IL 60604 Telephone: 312-730-1560; FAX: 312-730-1576; TDD: 800-877-8339 Email: OCR.Chicago@ed.gov

Additional Information on the Creation, Distribution & Review of this Policy

- This policy was created based on engagement with a range of school stakeholders including students and their families (parents/guardians)
- This policy can be found posted outside of the school office
- This policy is posted on the school website
- This policy is included in the school handbook
- This policy is distributed annually to parents or guardians, students, and school personnel, including new employees when hired
- This policy is also provided periodically throughout the school year to students and faculty, and a copy may be requested from the Principal
- This policy is consistent with the other policies of Esperanza
- Every two years, Esperanza will review and re-evaluate this policy to assess its outcomes and effectiveness and will make any necessary and appropriate revisions. This review process includes, but is not limited to, factors such as the frequency of victimization; student, staff, and family (parents/guardians) observations of safety at the school; areas of the school where bullying occurs; types of bullying utilized; and bystander intervention or participation. Esperanza may use relevant data and information it already collects for

other purposes in the policy evaluation. This information will be made available to school administrators, school board members, school personnel, parents, guardians, and students. The information developed as a result of this policy evaluation will be made available on the Internet website of the school.

- After each update, and no later than September 30 of the year in which it is updated, this policy will be filed with the Illinois State Board of Education

Date of Adoption: 9/2017

Date of Most Recent Review/Re-evaluation: 7/15/2026

Esperanza Report for Bullying

Date and Time of Incident: _____
Victim's Name: _____
Bully's Name: _____
Location of Bullying: _____

Type of Bullying (Select all which apply):

- ☐ Cyber Bullying or Cellular Phone or Internet
- ☐ Disability Bullying; Actual or Perceived Disability
- ☐ Lies and Rumors (Bullying-spreading lies or false rumors.)
- ☐ Physical size; power and/ or fear to include hitting, kicking, shoving, spitting.
- ☐ Property bullying. Taking or damaging property of others.
- ☐ Racial Bullying- Race, Color or National Origin
- ☐ Sexual Bullying- Gender or Sexual Orientation
- ☐ Social Bullying- Social Exclusion or Isolation
- ☐ Threats or Force- Bullying, threatening or forcing others to do something
- ☐ Verbal Bullying- Making derogatory comments or statements
- ☐ Other reported areas of bullying not listed

Incident Description:

Optional- Your Name:

Please submit to the attention of: Anne Hellmer, Principal, at
ahellmer@esperanzaschool.org OR 312-243-6097 ext 156 OR leave in mailbox.

LEGAL REF.: *Americans With Disabilities Act, 42 U.S.C. §12101 et seq. McKinney-Vento Homeless Assistance Act, 42 U.S.C. §11431 et seq. Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. §794. Title VI of the Civil Rights Act, 42 U.S.C. §2000d et seq. Title IX of the Education Amendments, 20 U.S.C. §1681 et seq. 105 ILCS 5/22-110. Illinois Human Rights Act, 775 ILCS 5/.*