**Section 1.295 Bullying Prevention Policy and Data**

a) For purposes of this Section:

1) "Bullying" and "policy on bullying" have the meanings given to those terms under Section 27-23.7 of the School Code [105 ILCS 5].

2) "Verified allegation of bullying" or "verified bullying allegation and incident" means a bullying allegation that a school determines meets the definition of "bullying" under Section 27-23.7(b) of the School Code.

b) *Each school district, charter school, and non-public, non-sectarian elementary or secondary school shall create, maintain, and implement a policy on bullying, which policy must be filed with the State Board of Education* (see Section 27-23.7(d) of the School Code). Such policies shall contain all of the requirements of Section 27-23.7 of the School Code and shall specify the date of adoption (indicated by month, date, and year) by the district or school.

c) *Every 2 years, each school district, charter school, and non-public, non-sectarian elementary or secondary school shall conduct a review and re-evaluation of its policy and make any necessary and appropriate revisions.* Such biennial policy reviews and re-evaluations shall be filed no later than September 30 of the year due and *must be filed* electronically through the IWAS *system with the State Board of Education after being updated* (see Section 27-23.7(d) of the School Code).

1) If the school or district has an Internet website, the policy must be posted on the website and the school or district must provide the website address to the State Board of Education. The policy may not be password protected and shall be easily accessible to students and parents or guardians. If the school or district does not have an Internet website, the policy must be published in the school's or district's student handbook and included in the school's or district's annual student registration materials. Proof of posting or publication must be included in the submissions under subsection (b) and this subsection.

2) The school or district must submit the entire updated policy with the amendment or modification date included in the reference portion of the policy. All policy revisions shall specify the date of adoption (indicated by month, date, and year) by the district or school.

3) If, after review and re-evaluation of its bullying policy, the school or district determines that no revisions are necessary, a copy of board minutes clearly indicating that the policy was re-evaluated and no changes were deemed to be necessary, or a signed statement from the board president indicating that the policy was re-evaluated and no changes were deemed to be necessary, shall be submitted electronically through the IWAS system to the State Board of Education. In instances where the school does not have a board or board president, the school's chief school administrator may submit the signed statement.

d) Upon receiving an updated policy or other documentation under subsection (c), State Board staff will review the policy or documentation to ensure its compliance with Section 27-23.7 of the School Code, as applicable. The agency will notify the school or district in writing if the policy or documentation has been approved or disapproved. If a policy or documentation has been disapproved, the school or district may correct the deficiency. The school or district must re-submit the policy no later than 90 days after the notification provided in this subsection (d).

e) Pursuant to Section 27-23.7(d) of the School Code, *the State Board of Education shall monitor and provide technical support for the implementation of policies.* Upon receipt of a written allegation by a parent or guardian that a school or district has not substantially complied with the school's or district's bullying policy, State Board staff shall offer technical assistance and support to the school or district to aid in correcting the alleged noncompliance. State Board staff shall not offer technical assistance on the basis of an allegation that does not allege substantial noncompliance with a bullying policy.

f) State Board staff may request documentation from a school or district to assess its substantial compliance with its bullying policy. If the State Board finds that a school or district has not substantially complied with its bullying policy, the school or district must accept technical assistance from the State Board to establish compliance with its bullying policy. State Board staff will include the district superintendent or chief school administrator in all discussions with the school or district staff.

g) If a school or district fails to submit a policy or submits a policy on bullying that does not meet the requirements of Section 27-23.7 of the School Code and this Section, State Board staff will:

1) Provide the school or district with technical assistance and resources to assist with meeting the requirements of Section 27-23.7 of the School Code and this Section, including, but not limited to, the following:

A) referencing any deficiencies in the policy to assist the school or district with bringing the policy into compliance with the requirements of Section 27-23.7(b) of the School Code; or

B) providing the school or district with a model policy for bullying prevention.

2) As appropriate, notify the school's or district's regional office of education or intermediate service center of failure to submit a bullying prevention policy that meets the requirements of Section 27-23.7 of the School Code and this Section.

3) Upon continued non-compliance with the requirements of Section 27-23.7 of the School Code and this Section, issue a letter stating the school’s or district's failure to comply. Continued non-compliance with the requirements of Section 27-23.7 of the School Code and this Section will result in the State Board publishing on its Internet website the name of the school or district that has failed to come into compliance. The school or district will remain on this website until thirty days after the school district comes into compliance.

4) Be available for technical assistance throughout the process.

h) *School districts, charter schools, and non-public, non-sectarian elementary and secondary schools shall collect, maintain, and submit to the State Board of Education non-identifiable data regarding verified allegations of bullying within the school district, charter school, or non-public, non-sectarian elementary or secondary school. School districts, charter schools, and non-public, non-sectarian elementary and secondary schools must submit such data in an annual report due to the State Board of Education no later than August 15 of each year starting with the 2024-2025 school year through the 2030-2031 school year*. [105 ILCS 5/27-23.7(f)]

1) All data shall be submitted electronically to the State Board, on a form approved by the State Board.

2) The data shall include:

A) *a record of each verified allegation of bullying and action taken*. If a school receives multiple verified allegations of bullying pertaining to one student, each allegation and the action taken must be reported separately;

B) *whether the instance of bullying was based on actual or perceived characteristics* identified in Section 27-23.7(a) of the School Code *and, if so, lists the relevant characteristics*; and

C) a record that demonstrates the school or district adhered to its bullying policy, including parental notification within a 24-hour period, the number of bullying incidents referred to the complaint manager, the number of safety plans issued to students as a result of the outcome of the bullying complaint investigation, and any other information pertinent to the investigation and findings related to the bullying complaint investigation.

3) All data submitted to the State Board shall be consistent with federal and State laws and rules governing student privacy rights, including, but not limited to, the federal Family Educational Rights and Privacy Act of 1974 and the Illinois School Student Records Act.

4) If a school or district fails to submit the required data by August 15 of each year, the State Board shall provide a written request for submission to the school or district. If a school or district fails to submit the required data within 14 days after receipt of the written request, the State Board shall publish notice of the non-compliance on the State Board of Education's website.

i) *Upon the request of a parent or legal guardian of a child enrolled in a school district, charter school, or non-public, non-sectarian elementary or secondary school within this State, the State Board of Education must provide non-identifiable data on the number of* verified *bullying allegations and incidents in a given year* *in the school district, charter school, or non-public, non-sectarian elementary or secondary school to the requesting parent or legal guardian*. [105 ILCS 5/27-23.7(g)] Data shall be maintained and, upon request, provided by the State Board in conformance with the State Board of Education's "Data Access and Use Policy and Procedures", as well as with federal and State laws and rules governing student privacy rights, including, but not limited to, the federal Family Educational Rights and Privacy Act of 1974 and the Illinois School Student Records Act. The State Board will redact data points to ensure the identity of a student is not publicly revealed and when necessary to comply with the requirements of the federal Family Educational Rights and Privacy Act of 1974 and the Illinois School Student Records Act.

(Source: Amended at 48 Ill. Reg. 13586, effective August 27, 2024)