

## **GERBER SCHOOL PREVENTION AND RESPONSE TO BULLYING, INTIMIDATION, AND HARASSMENT**

Gerber School adheres to the Urbana School District harassment and bullying policies as found on the USD116 website at [2025-26 Policy and Procedure Manual - final](#); pages 31-39. USD116 Board policy was most recently updated on 12/17/24. This policy can also be found on the Gerber School website at: <https://www.cunninghamhome.org/programs/educational-services/gerber-education-program/bullying-policy>.

### **Board Policy 7:20 Harassment of Students Prohibited**

No person, including a School District employee, agent, or student, shall harass, intimidate, or bully a student on the basis of actual or perceived: race; color; national origin; military status; unfavorable discharge status from military service; sex; sexual orientation; gender; gender identity (whether or not traditionally associated with the student's sex assigned at birth); gender-related identity or expression; ancestry; age; religion; physical or mental disability; order of protection status; status of being homeless; actual or potential marital or parental status, including pregnancy; physical appearance; socioeconomic status; academic status; association with a person or group with one or more of the aforementioned actual or perceived characteristics; or any other distinguishing characteristic. The District will not tolerate harassing, intimidating conduct, or bullying whether verbal, physical, sexual, or visual, that affects the tangible benefits of education, that unreasonably interferes with a student's educational performance, or that creates an intimidating, hostile, or offensive educational environment. Examples of prohibited conduct include name-calling, using derogatory slurs, stalking, sexual violence, causing psychological harm, threatening or causing physical harm, threatened or actual destruction of property, or wearing or possessing items depicting or implying hatred or prejudice of one of the characteristics stated above. Sexual Harassment Prohibited The District shall provide an educational environment free of verbal, physical, or other conduct or communications constituting harassment on the basis of sex as defined and otherwise prohibited by State and federal law. See Board policies 2:265, Title IX Grievance Procedure, and 2:260, Uniform Grievance Procedure. Making a Report or Complaint Students are encouraged to promptly report claims or incidents of bullying, intimidation, harassment, sexual harassment, or any other prohibited conduct to the Nondiscrimination Coordinator, Building Principal, Assistant Building Principal, Dean of Students, a Complaint Manager, or any employee with whom the student is comfortable speaking. A student may choose to report to an employee of the student's same gender. 31 Reports under this policy will be considered a report under Board policy 2:260, Uniform Grievance Procedure, and/or Board policy 2:265, Title IX Grievance Procedure. The Nondiscrimination Coordinator and/or Complaint Manager or designee shall process and review the report according to the appropriate grievance procedure. The Superintendent shall insert into this policy the names, office addresses, email addresses, and telephone numbers of the District's current Nondiscrimination Coordinator and Complaint Managers. The Nondiscrimination Coordinator also serves as the District's Title IX Coordinator.

Nondiscrimination Coordinator: Dr. Angi Franklin Assistant Superintendent of Human Resources 1101 East University Ave., Suite B Urbana, IL 61802 [afranklin@usd116.org](mailto:afranklin@usd116.org) / 217-384-3641

Complaint Managers: Dr. Angi Franklin Assistant Superintendent of Human Resources 1101 East University Ave., Suite B Urbana, IL 61802 [afranklin@usd116.org](mailto:afranklin@usd116.org) / 217-384-3641

Dr. Laura Taylor Executive Director of Leadership Development Director of Human Resources 1101 East University Ave., Suite B Urbana, IL 61802 [ltaylor@usd116.org](mailto:ltaylor@usd116.org) / 217-384-3651

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The Superintendent shall use reasonable measures to inform staff members and students of this policy by including: 1. For students, age-appropriate information about the contents of this policy in the District's student handbook(s), on the District's website, and, if applicable, in any other areas where policies, rules, and standards of conduct are otherwise posted in each school. 2. For staff members, this policy in the appropriate employee handbook(s), if applicable, and/or in any other areas where policies, rules, and standards of conduct are otherwise made available to Staff.

**Investigation Process** Any District employee who receives a report or complaint of harassment must promptly forward the report or complaint to the Nondiscrimination Coordinator or a Complaint Manager. Any employee who fails to promptly comply may be disciplined, up to and including discharge. Reports and complaints of harassment will be confidential to the greatest extent practicable, subject to the District's duty to investigate and maintain an educational environment that is productive, respectful, and free of unlawful discrimination, including harassment. For any report or complaint alleging sex-based harassment that, if true, would implicate Title IX of the Education Amendments of 1972 (20 U.S.C. §1681 et seq.), the Nondiscrimination Coordinator or 32 designee shall consider whether action under Board policy 2:265, Title IX Grievance Procedure, should be initiated. For any report or complaint alleging harassment on the basis of race, color, or national origin, the Nondiscrimination Coordinator or a Complaint Manager or designee shall investigate under Board policy 2:270, Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited. For any other alleged student harassment that does not require action under Board policies 2:265, Title IX Grievance Procedure, or 2:270, Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited, the Nondiscrimination Coordinator or a Complaint Manager or designee shall consider whether an investigation under Board policies 2:260, Uniform Grievance Procedure, and/or 7:190, Student Behavior, should be initiated, regardless of whether a written report or complaint is filed.

**Reports That Involve Alleged Incidents of Sexual Abuse of a Child by School Personnel** An alleged incident of sexual abuse is an incident of sexual abuse of a child, as defined in 720 ILCS 5/11-9.1A(b), that is alleged to have been perpetrated by school personnel, including a school vendor or volunteer, that occurred: on school grounds during a school activity; or outside of school grounds or not during a school activity. Any complaint alleging an incident of sexual abuse shall be processed and reviewed according to Board policy 5:90, Abused and Neglected Child Reporting. In addition to reporting the suspected abuse, the complaint shall also be processed under Board policy 2:265, Title IX Grievance Procedure, or Board policy 2:260, Uniform Grievance Procedure.

**Enforcement** Any District employee who is determined, after an investigation, to have engaged in conduct prohibited by this policy will be subject to disciplinary action up to and including discharge. Any third party who is determined, after an investigation, to have engaged in conduct prohibited by this policy will be addressed in accordance with the authority of the Board in the context of the relationship of the third party to the District, e.g., vendor, parent/guardian, invitee, etc. Any District student who is determined, after an investigation, to have engaged in conduct prohibited by this policy will be subject to disciplinary action, including but not limited to, suspension and expulsion consistent with the behavior policy. Any person making a knowingly false accusation regarding prohibited conduct will likewise be subject to disciplinary action.

**Retaliation Prohibited** Retaliation against any person for bringing complaints or providing information about harassment is prohibited (see Board policies 2:260, Uniform Grievance Procedure, 2:265, Title IX Grievance Procedure, and 2:270, Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited). Students should report allegations of retaliation to the Building Principal, an administrator, the Nondiscrimination Coordinator, and/or a Complaint Manager.

**LEGAL REF.:** 20 U.S.C. §1681 et seq., Title IX of the Educational Amendments of 1972; 34 C.F.R. Part 106. 29 U.S.C. §791 et seq., Rehabilitation Act of 1973; 34 C.F.R. Part 104. 42 U.S.C. §2000d, Title VI of the Civil Rights Act of 1964; 34 C.F.R. Part 100. 105 ILCS 5/10-20.12, 5/10-22.5, 5/10-23.13, 5/27-1, and 5/27-23.7. 775 ILCS 5/1-101 et seq., Illinois Human Rights Act. 33 23 Ill.Admin.Code §1.240 and Part 200. Davis v. Monroe County Bd. of Educ., 526 U.S. 629

(1999). Franklin v. Gwinnett Co. Public Schs., 503 U.S. 60 (1992). Gebser v. Lago Vista Independent Sch. Dist., 524 U.S. 274 (1998). West v. Derby Unified Sch. Dist. No. 260, 206 F.3d 1358 (10th Cir. 2000). CROSS REF.: 2:260 (Uniform Grievance Procedure), 2:265 (Title IX Grievance Procedure), 2:270 (Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited), 4:165 (Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors), 5:20 (Workplace Harassment Prohibited), 5:90 (Abused and Neglected Child Reporting), 5:120 (Employee Ethics; Code of Professional Conduct; and Conflict of Interest), 7:10 (Equal Educational Opportunities), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:185 (Teen Dating Violence Prohibited), 7:190 (Student Behavior), 7:240 (Conduct Code for Participants in Extracurricular Activities)  
Adopted: December 17, 2024

### **Board Policy 7:180 Prevention of and Response to Bullying, Intimidation, and Harassment**

Bullying, intimidation, and harassment diminish a student's ability to learn and a school's ability to educate. Preventing students from engaging in these disruptive behaviors and providing all students equal access to a safe, non-hostile learning environment are important District goals. Bullying on the basis of actual or perceived race, color, religion, sex, national origin, ancestry, physical appearance, socioeconomic status, academic status, pregnancy, parenting status, homelessness, age, marital status, physical or mental disability, military status, sexual orientation, gender-related identity or expression, unfavorable discharge from military service, order of protection status, association with a person or group with one or more of the aforementioned actual or perceived characteristics, or any other distinguishing characteristic is prohibited in each of the following situations: 1. During any school-sponsored education program or activity. 2. While in school, on school property, on school buses or other school vehicles, at designated school bus stops waiting for the school bus, or at school-sponsored or school-sanctioned events or activities. 3. Through the transmission of information from a school computer, a school computer network, or other similar electronic school equipment. 4. Through the transmission of information from a computer that is accessed at a nonschool-related location, activity, function, or program or from the use of technology or an electronic device that is not owned, leased, or used by the School District or school if the bullying causes a substantial disruption to the educational process or orderly operation of a school. This paragraph (item #4) applies only when a school administrator or teacher receives a report that bullying through this means has occurred; it does not require staff members to monitor any nonschool-related activity, function, or program. Definitions from 105 ILCS 5/27-23.7 Bullying includes cyberbullying and means 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. This list is meant to be illustrative and non-exhaustive. Cyberbullying 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, photo-electronic system, or photo-optical system, including without limitation electronic mail, Internet communications, instant messages, or facsimile communications. Cyberbullying 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. Cyberbullying 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. 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 Ill. Human Rights Act. School personnel means persons employed by, on contract with, or who volunteer in a school district, including without limitation school and school district administrators, teachers, school social workers, school counselors, school psychologists, school nurses, cafeteria workers, custodians, bus drivers, school resource officers, and security guards. Bullying Prevention and Response Plan The Superintendent or designee shall develop and maintain a bullying prevention and response plan that advances the District's goal of providing all students with a safe learning environment free of bullying and harassment. This plan must be consistent with the requirements listed below. 1. Using the definition of bullying as provided in this policy, the Superintendent or designee shall emphasize to the school community that: (1) the District prohibits bullying, and (2) all students should conduct themselves with a proper regard for the rights and welfare of other students. This may include a process for commending or acknowledging students for demonstrating appropriate behavior. 2. Bullying is contrary to State law and the policy of this District. However, nothing in the 35 District's bullying prevention and response plan 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 U.S. Constitution or under Section 3 of Article I of the Illinois Constitution. 3. Students are encouraged to immediately report bullying. A report may be made orally or in writing to the Nondiscrimination Coordinator, Building Principal, Assistant Building Principal, Dean of Students, a Complaint Manager, or any staff member with whom the student is comfortable speaking. Anyone, including staff members and parents/guardians, who has information about actual or threatened bullying is encouraged to report it to the District named officials or any staff member. The District named officials and all staff members are available for help with a bully or to make a report about bullying. Anonymous reports are also accepted; however, this shall not be construed to permit formal disciplinary action solely on the basis of an anonymous report. Nondiscrimination Coordinator: Angi Franklin, Asst. Supt. of Human Resources 1101 East University Ave. Suite B Urbana, IL 61802 [afranklin@usd116.org](mailto:afranklin@usd116.org) / 217-384-3641 Complaint Managers: Angi Franklin, Asst. Supt. of Human Resources 1101 East University Ave. Suite B Urbana, IL 61802 [afranklin@usd116.org](mailto:afranklin@usd116.org) / 217-384-3641 Beth Ladd, Exec. Dir. of Student Services 1101 East University Ave. Suite B Urbana, IL 61802 [bladd@usd116.org](mailto:bladd@usd116.org) / 217-384-3645 Laura Taylor, Exec. Dir. of Leadership Development 1101 East University Ave. Suite B Urbana, IL 61802 [ltaylor@usd116.org](mailto:ltaylor@usd116.org) / 217-384-3651 Peter Foertsch, Dir. of Human Resources 1101 East University Ave. Suite B Urbana, IL 61802 [pfoertsch@usd116.org](mailto:pfoertsch@usd116.org) / 217-384-3641 Building Complaint Managers: Jennifer Rohn, Principal Gerber School 1301 N. Cunningham Ave. Urbana, IL 61802 [jrohn@usd116.org](mailto:jrohn@usd116.org) / 217-367-4064

4. Consistent with federal and State laws and rules governing student privacy rights, the parents/guardians of all students involved in an alleged incident of bullying will be notified of such, along with threats, suggestions, or instances of self-harm determined to be the result of bullying, within 24 hours after the school's administration is made aware of the student's involvement in the incident. As appropriate, the school's administration shall also discuss the availability of social work services, counseling, school psychological services, other interventions, and restorative measures. The school shall make diligent efforts to notify a parent or legal guardian, utilizing all contact information the school has available or that can be reasonably obtained within the 24-hour period.

5. The Superintendent or designee shall promptly investigate and address reports of bullying, by, among other things:

- a. Making all reasonable efforts to complete the investigation within 10 school days after the date the report of a bullying incident was received and taking into consideration additional relevant information received during the course of the investigation about the reported bullying incident.
- b. Involving appropriate school support personnel and other staff persons with knowledge, experience, and training on bullying prevention, as deemed appropriate, in the investigation process.
- c. Notifying the Building Principal or school administrator or designee of the reported incident of bullying as soon as possible after the report is received.
- d. Consistent with federal and State laws and rules governing student privacy rights, providing parents/guardians of the students who are parties to the investigation information about the investigation and an opportunity to meet with the Building Principal or school administrator or his or her designee to discuss the investigation, the findings of the investigation, and the actions taken to address the reported incident of bullying.

The Superintendent or designee shall investigate whether a reported incident of bullying is within the permissible scope of the District's jurisdiction and shall require that the District provide the victim with information regarding services that are available within the District and community, such as counseling, support services, and other programs.

6. The Superintendent or designee shall use interventions to address bullying, that may include, but are not limited to, school social work services, restorative measures, social-emotional skill building, counseling, school psychological services, and community-based services.

7. A reprisal or retaliation against any person who reports an act of bullying is prohibited. Any person's act of reprisal or retaliation will be subject to disciplinary action, up to and including discharge with regard to employees, or suspension and/or expulsion with regard to students.

8. A student will not be punished for reporting bullying or supplying information, even if the District's investigation concludes that no bullying occurred. However, a person who is found to have falsely accused another of bullying, as a means of retaliation, as a means of bullying, or provided false information will be treated as either: (a) bullying, (b) student discipline up to and including suspension and/or expulsion, and/or (c) both (a) and (b) for purposes of determining any consequences or other appropriate remedial actions.

9. The District's bullying prevention and response plan is based on the engagement of a range of school stakeholders, including students and parents/guardians.

10. The Superintendent or designee shall post this policy on the District's publicly accessible website, if any, and include it in the student handbook, and, where applicable, post it where other policies, rules, and standards of conduct are currently posted. The policy must be distributed annually to parents/guardians, students, and school personnel (including new employees when hired), and must also be provided periodically throughout the school year to students and faculty.

11. Pursuant to State law and Board policy 2:240, Board Policy Development, the Board monitors this policy every two years by conducting a review and re-evaluation of this policy to make any necessary and appropriate revisions. The Superintendent or designee shall assist the Board with its re-evaluation and assessment of this policy's outcomes and effectiveness. Updates to this policy will reflect any necessary and appropriate revisions. This process shall include, without limitation:

- a. The frequency of victimization;
- b. Student, staff, and family observations of safety at a school;
- c. Identification of areas of a school where bullying occurs;
- d. The types of bullying utilized; and
- e. Bystander intervention or participation.

The evaluation process may use relevant data and information that the District already

collects for other purposes. Acceptable documentation to satisfy the re-evaluated policy submission include one of the following: 1) An updated version of the policy with the amendment/modification date included in the reference portion of the policy; 2) If no revisions are deemed necessary, a copy of board minutes indicating that the policy was re-evaluated and no changes were deemed to be necessary; or 3) A signed statement from the Board President indicating that the Board re-evaluated the policy and no changes to it were necessary. The Superintendent or designee must post the information developed as a result of the policy re-evaluation on the District's website, or if a website is not available, the information must be provided to school administrators, Board members, school personnel, parents/guardians, and 38 students. Reviews and re-evaluations in years they are due must be submitted to ISBE by September 30. 12. The District's bullying prevention plan must be consistent with other Board policies. LEGAL REF.: 105 ILCS 5/10-20.14, 5/10-22.6(b-20), 5/24-24, and 5/27-23.7. 405 ILCS 49/, Children's Mental Health Act. 775 ILCS 5/1-103, Ill. Human Rights Act. 23 Ill.Admin.Code §§1.240, 1.280, and 1.295. CROSS REF.: 2:240 (Board Policy Development), 2:260 (Uniform Grievance Procedure), 2:265 (Title IX Grievance Procedure), 2:270 (Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited), 4:170 (Safety), 5:230 (Maintaining Student Discipline), 6:60 (Curriculum Content), 6:65 (Student Social and Emotional Development), 6:235 (Access to Electronic Networks), 7:20 (Harassment of Students Prohibited), 7:185 (Teen Dating Violence Prohibited), 7:190 (Student Behavior), 7:220 (Bus Conduct), 7:230 (Misconduct by Students with Disabilities), 7:240 (Conduct Code for Participants in Extracurricular Activities), 7:285 (Anaphylaxis Prevention, Response, and Management Program), 7:310 (Restrictions on Publications; Elementary Schools), 7:315 (Restrictions on Publications; High Schools) Adopted: July 22, 2024 I