



UCP-CDS Melvin J. Larson School
311 S Reed Street Joliet, IL 60436-2050
P:815-744-3500 F: 815-744-3504

Anti-bullying Policy (105ILCS5/27-23.7)

The Illinois General Assembly finds that a safe and civil school environment is necessary for students to learn and achieve. Bullying causes physical, psychological, and emotional harm to students and interferes with students' ability to learn and participate in school activities. The General Assembly further finds that bullying has been linked to other forms of antisocial behavior, such as vandalism, shoplifting, skipping and dropping out of school, fighting, using drugs and alcohol, sexual harassment, and sexual violence. Because of the negative outcomes associated with bullying in schools, the General Assembly finds that school districts, charter schools, and non-public, non-sectarian elementary and secondary schools should educate students, parents, and school district, charter school, or non-public, non-sectarian elementary or secondary school personnel about what behaviors constitute prohibited bullying.

Bullying is contrary to State law and the policy of the school. However, nothing in the school'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 or Article I of the Illinois Constitution.

Bullying, Cyberbullying, Intimidation, and Harassment Defined from Section 27-23.7 of the School Code (105 ILCS 5/27-23.7)

Bullying and *cyber-bullying* means of any serve or pervasive physical or verbal act of conduct, including communications made in writing or electronically, directed toward a student or students that has or 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 in reasonable fear of harm to the student's person or property.
2. Causing a substantially detrimental effect on the student's physical or mental health.
3. Substantially interfering with the student's academic performance or
4. Substantially interfering with the student's ability to participate in or benefit from the services, activities, or privileges provided by the school.

Cyber-bullying means bullying through the use of technology or any electronic communication, including without imitation 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. *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*.



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Bullying takes many form up to and including 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.

Melvin J. Larson School Bullying Policy

No person, including an United Cerebral Palsy- Center for Disability Services employee or agent, or student, shall harass, intimidate, or bully a student on the basis of actual or perceived; race; color; nationality; sex; sexual orientation; gender identity; 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; association with a person or group with one or more of the aforementioned actual or perceived characteristics; or any other distinguishing characteristic. Melvin J. Larson School will not tolerate harassing, intimidating conduct, or bullying whether verbal, physical, visual, or cyber that affects 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, 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. No student shall be subjected to bullying:

1. Doing and 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, or at school-sponsored or school-sanctioned events or activities;
3. Through the transmission of information from a school computer, a school network, or other similar electronic school equipment;
4. 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 a school district or school if the educational process or orderly operation of a school.

Sexual Harassment Prohibited

Sexual harassment of students is prohibited. Any person, including an United Cerebral Palsy- Center for Disability Services employee or agent, or student engages in sexual harassment whenever he/she makes sexual advances, requests sexual favors, and engages in other verbal or physical conduct of a sexual or sex-based nature, imposed on the basis of sex, that:

1. Denies or limits the provision of educational aid, benefits, services, or treatment; or that makes such conduct a condition of a student's academic status; or
2. Has the purpose or effect of:
 - a. Substantially interfering with a student's educational environment;
 - b. Creating an intimidating, hostile, or offensive educational environment;
 - c. Depriving a student of educational aid, benefits, services, or treatment; or



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d. Making submission to or rejection of such unwelcome conduct the basis for academic decisions affecting a student.

The terms "intimidating," "hostile and offensive" include conduct that has the effect of humiliation, embarrassment, or discomfort. Examples of sexual harassment include touching, crude jokes or pictures, discussions of sexual experiences, teasing related to sexual characteristics, and spreading rumors related to a person's alleged sexual activities. The term sexual violence includes a number of different acts. Examples of sexual violence include, but are not limited to, rape, sexual assault, sexual battery, sexual abuse, and sexual coercion.

UCP-CDS POLICY NO. 5000A-F

The Equal Employment Opportunity Commission (EEOC) has issued guidelines setting forth the commission's interpretation regarding sexual harassment as a violation of Title VII of the Civil Rights Acts of 1964.

Sexual harassment is unwelcomed conduct of a sexual nature which makes a person feel offended, humiliated and/or intimidated. It includes situations where a person is asked to engage in sexual activity as a condition of that person's employment, as well as situations which create an environment which is hostile, intimidating or humiliating for the recipient.

Sexual harassment can involve one or more incidents and actions constituting harassment may be physical, verbal, and non-verbal. Examples of conduct or behavior which constitute sexual harassment include, but are not limited to:

Physical conduct

- Unwelcomed physical contact including patting, pinching, stroking, kissing, hugging, fondling, or inappropriate touching
- Physical violence, including sexual assault
- Physical contact, e.g. touching, pinching
- The use of job-related threats or rewards to solicit sexual favors

Verbal conduct

- Comments on a worker's appearance, age, private life, etc.
- Sexual comments, stories and jokes
- Sexual advances
- Repeated and unwanted social invitations for dates or physical intimacy
- Insult based on the sex of the worker
- Condescending or paternalistic remarks
- Sending sexually explicit messages (by phone or by email)

Non-verbal conduct

- Display of sexually explicit or suggestive material
- Sexually-suggestive gestures

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- Whistling
- Leering

UCP/CDS is committed to providing a safe environment for all its employees free from discrimination on any ground and from harassment at work including sexual harassment. UCP/CDS will operate a zero tolerance policy for any form of sexual harassment in the workplace, treat all incidents seriously and promptly investigate all allegations of sexual harassment.

Making a Complaint

Students/staff/parents are encouraged to report claims or incidences of bullying, harassment, intimidation, sexual harassment, or any other prohibited conduct to the Program Director or any staff member with whom the student is comfortable speaking within 24 hours of the occurrence. A student may choose to report to a person of the student's same sex.

An allegation that a student was a victim of any prohibited conduct perpetrated by school personnel, including a school vendor or volunteer, shall be processed and reviewed according to policy, *Abused and Neglected Child Reporting*, in addition to any response required by this policy.

The Program Director or Program Administrator shall insert into this policy the names, addresses, and telephone numbers of the UCP-CDS's current Nondiscrimination Coordinator and Complaint Managers. At least one of these individuals will be female, and at least one will be male.

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The Program Director or Human Resource Administrator 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 Melvin J Larson student handbook(s), on the UCP-CDS 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 Procedure

Supervisors, Program Directors, or administrators who receive a report or complaint of harassment must promptly forward the report or complaint to the Nondiscrimination Coordinator or a Complaint Manager. A supervisor or administrator who fails to promptly comply may be disciplined, up to and including discharge.



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Reports and complaints of harassment will be confidential to the greatest extent practicable, subject to UCP-CDS's duty to investigate and maintain an educational environment that is productive, respectful, and free of unlawful discrimination, including harassment.

UCP-CDS shall investigate alleged harassment of students when the Nondiscrimination Coordinator or Complaint Manager becomes aware of an allegation, regardless of whether a written report or complaint is filed.

Whether a reported incident of bullying is within the permissible scope of the School's jurisdiction and shall require that the School provide the victim with information regarding services that are available within the School and community, such as counseling, support services, and other programs

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

A reprisal or retaliation against any person who reports an act of bullying is prohibited. A student's act of reprisal or retaliation will be treated as bullying for purposes of determining any consequence or other appropriate remedial actions.

A student will not be punished for reporting bullying or supplying information, even if the School's investigation concludes that no bullying occurred. However, knowingly making a false accusation or providing knowingly false information will be treated as bullying for purposes of determining any consequences or other appropriate remedial actions.

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

The Principal or designee shall assist the School with its evaluation and assessment of this policy's outcomes and effectiveness. This process shall include, without limitation:

- a. The frequency of victimization;
- b. Student, staff, and family observations or 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.
- f. The cognitive and social emotional abilities of the parties involved.

The evaluation process may use relevant data and information that the School already collects for other purposes. The Principal or designee must post the information developed as a result of the policy evaluation on the School's website, or if a website is not available, the information must be provided to school administrators, School members, school personnel, parents/guardians, and students.

The Principal or designee shall fully implement the School policies, including without limitation, the following:

- a. Uniform Grievance Procedure. A student may use this policy to complain about bullying.
- b. Curriculum Content. Bullying prevention and character instruction is provided in all grades in accordance with State law.



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Alleged Incidents of Sexual Abuse

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 policy, *Abused and Neglected Child Reporting*, in addition to any response required by this policy.

Enforcement

Any UCP- CDS 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 UCP-CDS 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 discipline policy. Any person making a knowingly false accusation regarding prohibited conduct will likewise be subject to disciplinary action up to and including discharge, with regard to employees, or suspension and expulsion, with regard to students.