General Personnel

Workplace Harassment Prohibited

The School District expects the workplace environment to be productive, respectful, and free of unlawful discrimination, including harassment. District employees shall not engage in harassment or abusive conduct on the basis of an individual’s race, religion, national origin, sex, sexual orientation, age, citizenship status, disability, or other protected status identified in Board policy 5:10, Equal Employment Opportunity and Minority Recruitment. Harassment of students, including, but not limited to, sexual harassment, is prohibited by Board policy 7:20, Harassment of Students Prohibited.

I. Sexual Harassment Prohibited

The School District shall provide a workplace environment free of unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct, or communications constituting harassment on the basis of sex as defined and otherwise prohibited by State and federal law.

District employees shall not make unwelcome sexual advances or request sexual favors or engage in any unwelcome conduct of a sexual nature when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment; (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (3) such conduct has the purpose or effect of substantially interfering with an individual’s work performance or creating an intimidating, hostile, or offensive working environment. Sexual harassment prohibited by this policy includes, but is not limited to, verbal or physical conduct. The terms intimidating, hostile, or offensive include, but are not limited to, conduct that has the effect of humiliation, embarrassment, or discomfort. Sexual harassment will be evaluated in light of all the circumstances.

The School District will take reasonable remedial and corrective measures in response to sexual harassment of District employees committed by nonemployees when the School District is made aware of such harassment.

II. Making a Complaint

Aggrieved employees may file a complaint with the District Non-discrimination Coordinator or Complaint Managers regarding a violation of this policy in accordance with the procedures contained in Board policy 2:260 Uniform Grievance Procedure. There are no express time limits for initiating complaints and reports under this Policy; however, every effort should be made to file such complaints and reports as soon as possible, while facts are known and potential witnesses are available.

Aggrieved employees, who feel comfortable doing so, should directly inform the person engaging in the harassing conduct or communication that such conduct or communication is offensive and must stop. Employees may also report violations of this Policy to any Supervisor or Administrator.

Employees may choose to report to a person of the employee’s same sex.

The Superintendent shall insert into this policy the names, addresses, and telephone numbers of the District’s current Nondiscrimination Coordinator and Complaint Managers.
III. Investigation Process

Supervisors or administrators who receive a report or complaint of allegations that this policy has been violated, must refer the report or complaint to the Nondiscrimination Coordinator or Complaint Managers without delay. A supervisor or administrator’s failure to forward reports or complaints of violations of this policy, sexual harassment or unlawful employment discrimination without delay may result in discipline, up to and including discharge.

Employee complaints of sexual harassment will be considered confidential to the greatest extent permitted by law, notwithstanding the School District’s duty to investigate and maintain a workplace environment that is productive, respectful, and free of unlawful discrimination, including harassment. The School District reserves the right to investigate alleged violations of this Policy at its discretion whenever the School District becomes aware of the allegations, regardless of whether a written complaint is filed.

Employee complaints of sexual harassment will be investigated and acted upon in accordance with the procedures set forth in Board Policy 2:260 Uniform Grievance Procedure. However, any additional procedures, protections, or consequences, outlined in this Policy 5:20 shall also apply.

IV. Enforcement

A violation of this Policy by an employee may result in discipline, up to and including discharge. A violation of this Policy by a third party will be addressed in accordance with the authority of the Board in the context of the relationship of the third party to the School District, e.g. vendor, parent, invitee, etc.

Any person making a knowingly false accusation regarding a violation of this policy will be subject to disciplinary action, up to and including discharge.

V. Retaliation Prohibited

The School District will not unlawfully take adverse action with the purpose of retaliating against employees for complaining about violations of this policy or assisting others complain about violations of the policy, including but not limited to providing information or testifying regarding violations of this policy. Employees should report allegations of retaliation under this policy to their...
supervisors, the nondiscrimination coordinator, complaint managers, or administrators. During the
course of the investigation and for a reasonable period following the completion of the investigation,
the Complaint Manager will inform, at regular intervals, the person(s) reporting or filing a complaint
under this policy about the status of the investigation and to ensure they have not been retaliated
against because of their report or complaint.

Whistleblower protection is available, in accordance with law, under the State Officials and
Employees Ethics Act (5 ILCS 430/), the Whistleblower Act (740 ILCS 174/), and the Illinois Human
Rights Act (775 ILCS 5/).

Employees who retaliate against others for reporting or complaining of violations of this Policy will
be subject to disciplinary action, up to and including discharge.

VI. Recourse to State and Federal Fair Employment Practice Agencies

The School District encourages all employees who have information regarding violations of this
policy to report the information to their supervisors, the nondiscrimination coordinator, complaint
managers, or administrators so the School District can take prompt remedial and corrective action.
Government agencies are available to assist employees who believe their employer has committed or
permitted violations of state and federal employment laws including the prohibition against
employment discrimination and sexual harassment. The Illinois Department of Human Rights and
United States Equal Employment Opportunity may be able to assist employees with additional
resources including the ability to make confidential reports regarding employment law violations or
sexual harassment.

The Superintendent shall also use reasonable measures to inform staff members and applicants of this
policy, which shall include reprinting this policy in the appropriate handbooks.

LEGAL REF.: Title VII of the Civil Rights Act of 1964, 42 U.S.C. §2000e et seq., implemented
by 29 C.F.R. §1604.11.
Title IX of the Education Amendments of 1972, 20 U.S.C. §1681 et seq., implemented
by 34 C.F.R. Part 106.
Ill. Human Rights Act, 775 ILCS 5/2-101(E), 5/2-102(D), 5/2-102(E-5), 5/5-102,
and 5/5-102.2.
56 Ill. Admin.Code Parts 2500, 2510, 5210, and 5220.
Sangamon County Sheriff’s Dept. v. Ill. Human Rights Com’n, 233 Ill.2d 125 (Ill., 2009).
Vance v. Ball State University, 133 S. Ct. 2434 (2013).

CROSS REF.: 2:260 (Uniform Grievance Procedure), 5:10 (Equal Employment Opportunity

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