

## 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*.

The District will take remedial and corrective action to address unlawful workplace harassment, including sexual harassment.

### 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, ~~or other~~ conduct, or communications constituting harassment on the basis of sex as defined and otherwise prohibited by ~~state~~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~~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~~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, ~~or other~~ conduct. The terms intimidating, hostile, or offensive include, but are not limited to, conduct ~~which~~that has the effect of humiliation, embarrassment, or discomfort. Sexual harassment will be evaluated in light of all the circumstances.

### Making a Complaint

Employees are encouraged to promptly report information regarding violations of this policy. Employees may choose to report to a person of the employee's same gender. Every effort should be made to file such complaints as soon as possible, while facts are known and potential witnesses are available.

Aggrieved employees, if they 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.

### Whom to Contact with a Report or Complaint:

An employee should report claims of harassment, including making a confidential report, to any of the following: his/her immediate supervisor, the Building Principal, an administrator, the Nondiscrimination Coordinator, and/or a Complaint Manager. Employees may also report claims using Board policy 2:260, *Uniform Grievance Procedure*. If a claim is reported using Board policy 2:260, then the Complaint Manager shall process and review the complaint according to that policy, in addition to any response required by this policy 5:20, *Workplace Harassment Prohibited*.

The Superintendent shall insert into this policy and keep current the names, addresses, and telephone numbers of the Complaint Manager and the District's Nondiscrimination Coordinator.

*Complaint Manager:*

Name	<u>Jacob Hubert, Principal</u>
Address	<u>17823 Poplar Grove Road, Poplar Grove, IL 61065</u>
Telephone No.	<u>815-765-3311</u>

*Nondiscrimination Coordinator*

Name	<u>Allison Louis, Principal</u>
Address	<u>200 North Wooster, Capron, IL 61012</u>
Telephone No.	<u>815-569-2314</u>

Investigation Process

Supervisors, Building Principals, 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 forward a report or complaint 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 a workplace environment that is productive, respectful, and free of unlawful discrimination, including harassment. The District shall investigate alleged workplace harassment when a Complaint Manager becomes aware of an allegation, regardless of whether a written report or complaint is filed.

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 District, i.e., vendor, parent, invitee, etc. Any ~~person~~employee making a knowingly false accusation regarding harassment will likewise be subject to disciplinary action, up to and including discharge.

Retaliation Prohibited

An employee’s employment, compensation, or work assignment shall not be adversely affected by complaining or providing information about harassment. ~~Retaliation against employees for bringing bona fide complaints or providing information about harassment is prohibited (see Board policy 2:260, *Uniform Grievance Procedure*).~~ and whistleblower protection may be available under the State Officials and Employees Ethics Act (5 ILCS 430/), the Whistleblower Act (740 ILCS 174/), and the Ill. Human Rights Act (775 ILCS 5/).

~~Aggrieved persons, 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~~An employee should report ~~claims of harassment to~~ allegations of retaliation to his/her immediate supervisor, the Building Principal, an administrator, the Nondiscrimination Coordinator, and/or ~~use the, Board policy 2:260, *Uniform Grievance Procedure*.~~ a Complaint Manager.

Employees ~~may choose~~who retaliate against others for reporting or complaining of violations of this policy or for participating in the reporting or complaint process will be subject to disciplinary action, up to and including discharge.

Recourse to State and Federal Fair Employment Practice Agencies

~~The District encourages all employees who have information regarding violations of this policy to report to a person of the employee's same sex the information pursuant to this policy. The following government agencies are available to assist employees: the Ill. Dept. of Human Rights and the U. S. Equal Employment Opportunity Commission.~~

~~There are no express time limits for initiating complaints and grievances under this policy; however, every effort should be made to file such complaints as soon as possible, while facts are known and potential witnesses are available.~~

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. ~~§1604.11~~Part 106.  
State Officials and Employees Ethics Act, 5 ILCS 430/70-5(a).  
 Ill. Human Rights Act, 775 ILCS 5/2-101(E), 5/2-102(D), ~~5/52-102, and(E-5)~~, 5/5-102, and 5/5-102.2.  
 56 Ill. Admin.Code Parts 2500, 2510, 5210, and 5220.  
Burlington Industries v. Ellerth, 118-524 U.S. 742~~Ct. 2257~~ (1998).  
Crawford v. Metro. Gov't of Nashville & Davidson County, 555 U.S. 271 (2009).  
Faragher v. City of Boca Raton, 118-524 U.S. Ct. 2275 775 (1998).  
Franklin v. Gwinnett Co. Public Schools, 112-503 U.S. Ct. 1028 60 (1992).  
Harris v. Forklift Systems, 114-510 U.S. Ct. 367 17 (1993).  
Jackson v. Birmingham BoardBd. of Education, 125-Educ., 544 U.S. Ct. 1497 167 (2005).  
Meritor Savings Bank v. Vinson, 106-477 U.S. Ct. 2399 57 (1986).  
Oncale v. Sundown Offshore Services, 118-523 U.S. Ct. 998 75 (1998).  
Porter v. Erie Foods International, Inc., 576 F.3d 629 (7th Cir. 2009).  
Sangamon County Sheriff's Dept. v. Ill. Human Rights Com'n, 908 N.E.233 Ill.2d 39125  
(Ill., 2009).  
Vance v. Ball State University, 133 S. Ct. 2434 (2013).

CROSS REF.: 2:260 (Uniform Grievance Procedure), 5:10 (Equal Employment Opportunity and Minority Recruitment), 7:20 (Harassment of Students Prohibited)

ADOPTED: November 6, 2001

AMENDED: May 9, 2016