

General Personnel

Workplace Harassment Prohibited

The School District shall provide employees an employment environment free of unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct, or communications constituting sexual harassment 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 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.

A violation of this policy may result in discipline, up to and including discharge. Any person making a knowingly false accusation regarding harassment will likewise be subject to disciplinary action, up to and including discharge.

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 should report claims of harassment to the Nondiscrimination Coordinator and/or use the Board policy 2:260, *Uniform Grievance Procedure*. Employees may choose to report to a person of the employee's same sex. Initiating a complaint of sexual harassment shall not adversely affect the complainant's employment, compensation, or work assignments. Retaliation against employees for bringing bona fide complaints or providing information about harassment is prohibited (see Board policy 2:260, *Uniform Grievance Procedure*). Illinois law provides protections to individuals from retaliation from reporting sexual harassment through, including but not limited to, the State Officials and Employees Ethics Act, 5 ILCS 430/15, the Illinois Whistleblower Act, 740 ILCS 174/15, and the Illinois Human Rights Act, 775 ILCS 5/6-101.

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. Employees may also make a confidential report of harassment to a supervisor, Complaint Manager, or to the Ethics Officer, if applicable. Furthermore, employees may make a report of sexual harassment to the Inspector General or the Illinois Department of Human Rights.

Whom to Contact with a Report or Complaint

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

Nondiscrimination Coordinator:

Name: Tim Truesdale

Address: 5801 West Cermak Road Cicero, IL 60804

Telephone: 708-780-2110

Complaint Managers:

Names: Dennis Forst Kathleen Kelly Colgan

Address: 5801 West Cermak Road Cicero, IL 60804

Telephone: 708-780-2116 708-780-2114

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, 42 U.S.C. §2000e et. seq., 29 C.F.R. § 1604.11
Title IX of the Education Amendments, 20 U.S.C. § 1681cj.; 34 C.F.R. §1604.11
775 ILCS 5/2-101(E) and 5/2-102(D)
56111. Admin.Code Parts 2500, 2510, 5210, and 5220
Burlington Industries v. Ellerth, 118 S.Ct. 2257 (1998)
Faragher v. City of Boca Raton, 118 S.Ct. 2275 (1998)
Franklin v. Gwinnett Co. Public Schools, 112 S.Ct. 1028 (1992)
Harris v. Forklift Systems, 114 S.Ct. 367 (1993)
Jackson v. Birmingham Board of Education, 125 S.Ct. 1497 (2005)
Mentor Savings Bank v. Vinson, 106 S.Ct. 2399 (1986)
Oncala v. Sundown Offshore Services, 118 S.Ct. 998 (1998)
State Officials and Employees Ethics Act, 5 ILCS 430/.
Illinois Whistleblower Act, 740 ILCS 174/.
Illinois Human Rights Act, 775 ILCS 5/.

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

ADOPTED: November 10, 2010

UPDATED: January 10, 2018