

General Personnel

Workplace Harassment Prohibited

The School District expects the workplace environment to be productive, respectful, and free of unlawful 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*.

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 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.

Enforcement

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

An employee's employment, compensation, or work assignment shall not be adversely affected by complaining or providing information about harassment. Retaliation is prohibited against employees for bringing bona fide complaints or for providing information about harassment (see Board policy 2:260, *Uniform Grievance Procedure*). Employees who report harassment allegations are protected by the Illinois Whistleblower Act; by the whistleblower provisions of the State Officials and Employees Ethics Act; and by the Illinois Human Rights Act.

Whom to Contact with a Report or Complaint

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 may report claims of harassment in any of the following ways: to a supervisor; to a District Complaint Manager or the District's Nondiscrimination Coordinator, both as designated below; or to the Illinois Department of Human Rights. The report may be confidential. Employees may also use the Board policy 2:260, *Uniform Grievance Procedure*. Employees may choose to report to a person of the employee's same sex. There are no express time limits for initiating complaints and grievances to the District under this policy, but time limits may apply under other laws. Every effort should be made to file such complaints as soon as possible, while facts are known and potential witnesses are available.

District 2 Nondiscrimination Coordinator:

Name Paul Novack, Chief Financial Officer

Address 210 S. Church Road
Bensenville, IL 60106
Telephone 630-766-5940

District 2 Complaint Managers:

Name	Juliann Greene Special Education Director	Paul Novack Chief Financial Officer
Address	210 S. Church Road Bensenville, IL 60106	210 S. Church Road Bensenville, IL 60106
Telephone No.	630-766-5940, x1107	630-766-5940 x1103

Illinois Department of Human Rights:

Address 100 West Randolph Street
10th Floor, Intake Unit
Chicago Illinois 60601
Telephone 312-814-4320
Email IDHR.webmail@illinois.gov

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. §1681 et seq.; 34 C.F.R. §1604.11.
Ill. Human Rights Act, 775 ILCS 5/2-101(E), 5/2-102(D), 5/5-102, and 5/5-102.2.
State Officials and Employees Ethics Act, 5 ILCS 430/70-5.
56 Ill. Admin.Code Parts 2500, 2510, 5210, and 5220.
Burlington Industries v. Ellerth, 118 S.Ct. 2257 (1998).
Crawford v. Metro. Gov't of Nashville & Davidson County, 129 S. Ct. 846 (2009).
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).
Meritor Savings Bank v. Vinson, 106 S.Ct. 2399 (1986).
Oncale v. Sundown Offshore Services, 118 S.Ct. 998 (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.2d 39 (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)

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