

The District hereby prohibits harassment on the basis of sex and gender. Sexual harassment is not tolerated and such behavior by an employee to another employee, an employee to a student, student to employee, or a student to another student is unacceptable, violates District policy, is contrary to a student's or employee's integrity, privacy, and welfare and is hereby prohibited. This policy covers all District employees and agents. The District has a separate policy applicable to District students. In accordance with State law, the District provides annual sexual harassment prevention training for all staff.

STATEMENT OF PROHIBITED CONDUCT

Sexual harassment of or by employees and students is prohibited. Sexual harassment consists of any unwelcome (or, in the case of an employee to a student, intentional) sexual advances or requests for sexual favors or any 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 is used as the basis for employment decisions affecting such individual; (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; or (4) such conduct has the purpose or effect of creating an intimidating, hostile or offensive classroom, school, or learning environment for employees and students.

Examples of Prohibited Sexual Harassment

Sexual harassment may include explicit sexual propositions; sexual innuendo; sexually suggestive comments; sexually oriented "kidding," "teasing," or "practical jokes"; jokes about gender-specific traits; foul or obscene language or gestures; display of foul or obscene printed or visual material; intentional physical conduct which is sexual in nature, such as touching, pinching, patting, grabbing, brushing against, or poking; crude jokes or pictures; discussions of sexual experiences; teasing related to sexual characteristics; spreading rumors related to a person's alleged sexual activities; or an employee entering into or attempting to seduce, entice, or groom a student into a romantic relationship. The above list is not to be construed as an all-inclusive list of prohibited acts under this policy but rather represents those acts most commonly found to violate it.

REPORTING OF SEXUAL HARASSMENT

Any employee who feels that he or she has experienced or witnessed harassment should immediately notify the Nondiscrimination Title IX Coordinator(s), identified below, if said person is not involved in the harassment charge. If said person is involved in the harassment charge, notification should be

given directly to the Building Principal or another member of the administrative staff, provided that said person is not involved in the harassment charge.

All employees are responsible for helping to ensure that harassment, including sexual harassment, is avoided. Employees are encouraged to report any suspected incidents of sexual harassment.

The District forbids retaliation against anyone who has reported harassment, assisted in making a harassment complaint, or cooperated in a harassment investigation in good faith. Any employee who feels that he or she has been retaliated against should immediately notify the Superintendent. Employees found to have retaliated against others for complaining of, reporting violations of this Policy, or participating in the reporting or complaining process will be subject to disciplinary action, up to and including possible termination. Complaints will be kept confidential to the extent possible given the need to investigate.

The following are the District's Nondiscrimination Coordinator Title IX Coordinator(s). At least one of these individuals will be female, and at least one will be male.

Nondiscrimination Coordinator(s)/Title IX Coordinator(s)

Name: Human Resource Manager
Address: 4225 Wolf Road
Western Springs, IL 60558
Telephone: 708-485-2914

Name: Superintendent of Schools
Address: 4225 Wolf Road
Western Springs, IL 60558
Telephone: 708-485-2958

DISCIPLINE

Any District employee who is determined, after an investigation, to have engaged in sexual harassment will be subject to disciplinary action by the District up to and including termination of employment. Any person making a knowingly false accusation regarding sexual harassment will likewise be subject to disciplinary action up to and including discharge.

COMPLAINTS

All complaints of harassment and reports of suspected harassment will be investigated promptly and thoroughly. To the fullest extent practicable and permitted by applicable law, the District will keep complaints/reports and the terms of their resolution confidential. Any employee who believes he/she has been the subject of harassment or retaliation for complaining about harassment shall enjoy the protections afforded to a whistleblower, as set forth in the Illinois Whistleblower Act (740 ILCS 174/1 et seq.). Employees also have the right to file a charge of civil rights violations with the Illinois Department of Human Rights and the Human Rights Commission. Additional information is available at <http://www.state.il.us/dhr>.

To file a charge, contact

Illinois Department of Human Rights James R. Thompson Center
100 West Randolph Street, Suite 10-100
Chicago, Illinois 60601
312-814-6200
312-263-1579 (TDD)

For public hearing information, contact

Illinois Human Rights Commission James R. Thompson Center
100 West Randolph Street, Suite 5-100
Chicago, Illinois 60601
312-814-6269

Complaints of harassment are handled according to the provisions on sexual harassment above as well as the District's Title IX policy and grievance procedure.. The Superintendent will lead the investigation and report the complaint in a timely fashion to the Board of Education President. He/she will report findings of the investigation to the Board of Education. The Superintendent will also provide written communication of his findings to the complainant in a timely manner.

The Superintendent or his/her designee shall use reasonable measures to inform staff members and students that the District will not tolerate harassment, such as by including this policy in the appropriate handbooks.

SEXUAL HARASSMENT COMPLAINTS INVOLVING ELECTED OFFICIALS

The State Officials and Employees Ethics Act (5 ILCS 430/70-5), requires districts to include in their policies information on reporting alleged sexual harassment by

elected officials. Consistent with that requirement, members of the Board and other elected officials are encouraged to promptly report claims of sexual harassment by a fellow Board member. Every effort should be made to file such complaints as soon as possible. If the official feels comfortable doing so, they should directly inform the individual that the individual's conduct or communication is offensive and should stop.

Board members and elected officials should report claims of sexual harassment against a member of the Board to the Board President or Superintendent. If the report is made to the Superintendent, the Superintendent shall promptly notify the President, or if the President is the subject of the complaint, the Vice President. Reports of sexual harassment will be confidential to the greatest extent practicable

Legal Reference:

775 ILCS 5/1-101 et seq., Illinois Human Rights Act 5 ILCS 430/70-5
23 Ill. Admin. Code §1.240 and Part 200 (Sex Equity) 20 U.S.C. §1681 et seq.,

Title IX of the Educational Amendments

Title VII of the Civil Rights Act of 1964 42 U.S.C. 2000e et seq. 34 C.F.R. Part 106

105 ILCS 5/10-22.5, 5/27-1, 5/27-23.7

State Officials and Employees Ethics Act (5 ILCS 430/70-5

Davis v. Monroe County Board of Education, 119 S. Ct. 1661 (1999).

Franklin v. Gwinnett Co. Public Schools, 112 S. Ct. 1028 (1992).

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BOARD OF EDUCATION, School Dist. 101, Western Springs, IL

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