

## **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 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 which has the effect of humiliation, embarrassment or discomfort. Sexual harassment will be evaluated in light of all the circumstances.

### **Making a Complaint: 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 likewise 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 against employees for bringing bona fide complaints or providing information about harassment is prohibited (see Board policy 2:260, *Uniform Grievance Procedure*).

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.

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.

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 Dr. Marcia Tornatore Supt.  
 Address 200 North Maple St., Itasca  
 Telephone No. 630/773-1232

*Complaint Managers:*

Name Dr. Marcia Tornatore,  
Superintendent  
 Address 200 North Maple St., Itasca  
 Telephone No. 630/773-1232

*Alternate Complaint Manager*

Mr. Jeffrey Murphy,  
Elmer H. Franzen Intermediate  
School Principal  
 Address 730 North Catalpa St., Itasca  
 Telephone No. 630/773-0100

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  
Illinois Human Rights Act, 775 ILCS 5/2-101(E), 5/2 102 (D), 5/5102., and 5/5-102.2.  
56 Ill. 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).  
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 (7<sup>th</sup> cir. 2009).  
Sanagamon County Sheriff's Dept. v. Ill. Human Rights Com'n. 908 N.E.2d 39 (Ill.2009).

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

ADOPTED: February 10, 1999

REVIEWED: October 11, 2006

REVISED: October 13, 2010