

GENERAL PERSONNEL**Workplace Harassment Prohibited**

The District is committed to providing a work environment free from unlawful discrimination and harassment. Discrimination or harassment of any kind based on sex, race, color, national origin, age, religion, disability, handicap, sexual orientation, veteran status, marital status, ancestry, or any legally protected characteristic is strictly prohibited. Actions, words, jokes, or comments based on any legally protected characteristic will not be tolerated. Likewise, the District will not tolerate epithets, slurs, or negative stereotyping, threatening, intimidating or hostile acts directed against an employee or an employee's family, friends, or acquaintances; and written or graphic material (such as pictures, posters, cartoons, or jokes) that denigrates or shows hostility or aversion toward an individual or group based upon a protected characteristic.

Sexual harassment is one type of harassment that is prohibited. All District employees, contractors and agents are prohibited from sexually harassing any person, regardless of any employment relationship or lack thereof. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of employment; (2) submission or rejection of the conduct is used as a basis for making employment decisions; or (3) the conduct has the purpose or effect of interfering with work performance or creating an intimidating, hostile, or offensive work environment.

Sexual harassment can also include visual conduct such as sexual gestures or displaying of sexually suggestive objects, pictures, cartoons, or posters; derogatory comments, epithets, slurs, or jokes; verbal sexual advances or propositions; graphic verbal commentaries about an individual's body or sexually degrading words used to describe an individual; suggestive or obscene communications; and any other verbal or physical actions that may interfere with a person's work performance or create an intimidating, hostile, or offensive working environment.

If an employee believes he or she has been the subject of sexual or any other form of harassment by anyone at the District or by any person who do business with the District, the employee should and is encouraged to bring the matter 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 District's designated Nondiscrimination Coordinator is Matthew Zediker, Chief Human Resources Officer, who maintains an office at 501 7th Street, Rockford, IL 61104 and who can be reached via telephone at 815-489-0542 or email at zedikm@rps205.com. The District's Complaint Managers are Ehren Jarrett, Superintendent, who maintains an office at 501 7th Street, Rockford, IL 61104 and who may be reached via telephone at 815-966-3102 or email at ehren.jarrett@rps205.com and Matthew Zediker, Chief Human Resources Officer.

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 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/).

An employee should report allegations of retaliation to his/her immediate supervisor, the Building Principal, an administrator, the Nondiscrimination Coordinator, and/or a Complaint Manager.

Employees 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 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.

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.
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(E-5) 5/5-102 and 5/5-
102.2
Meritor Savings Bank v. Vinson, 106 S.Ct. 2399 (1986).
Harris v. Forklift Systems, 114 S.Ct. 367 (1993).
Burlington Industries v. Ellerth, 118 S.Ct. 2257 (1998).
Faragher v. City of Boca Raton, 118 S.Ct. 2275 (1998).
Oncale v. Sundown Offshore Services, 118 S.Ct. 998 (1998).

CROSS REF.: 2.260, 5.10, 7.20

Adopted: July 8, 1997

Revised: August 25, 1998
September 28, 1999
December 14, 2004
March 23, 2010
May 8, 2012
September 25, 2018