

Sexual and other types of harassment and discrimination of, or by, students or employees participating in College-sponsored functions is prohibited by Title VII of the Civil Rights Act of 1964, as amended, Title IX of the Education Amendments of 1972, the Illinois Human Rights Act, other federal, state and local laws prohibiting discrimination and harassment, and Board Policies.

The College is committed to an environment in which all individuals are treated with respect and dignity. Each individual has the right to an atmosphere that prohibits discrimination, harassment, and retaliation. The College prohibits sexual or any other type of discrimination or harassment of, or by, any of its students, employees, vendors, officers, officials, board members, volunteers or agents. Actions, words, jokes or comments based on individual's race, color, religion, sex, age, national origin, citizenship status, ancestry, marital status, parental status, pregnancy, family status, military discharge status, sexual orientation, gender identity or expression, disability or handicap unrelated to an individual's ability to perform the essential functions of the job, association with a person with a disability or handicap, military status, source of income, housing status, or any other category protected by laws, will not be tolerated.

### **Definitions of Harassment**

Gender discrimination and sexual harassment includes, but is not limited to, gender-specific comments, verbal innuendo, insults, threats and jokes of a sexual nature, sexual propositions, making sexually-suggestive noises, leering, whistling, obscene gestures, touching or brushing the body, coercing sexual intercourse, sexual assault, or any behaviors or actions which might create a sexually hostile environment. Sexual harassment may involve individuals of the same gender.

Sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature constitute harassment when:

1. Submission to such conduct is deemed to be either explicitly or implicitly a term or condition of an individual's employment or education;
2. Submission to, or rejection of, such conduct by an individual is deemed to be used as the basis for academic or employment decisions affecting that individual; or
3. Such conduct has the purpose, or effect, of unreasonable interfering with an individual's academic or work performance or creating an intimidating, hostile, or offensive educational or employment environment.

Examples of behavior that would be considered sexual harassment include but are not limited to, the following:

1. A pattern of conduct that a reasonable person would find intimidating, hostile, or offensive, i.e. gestures, facial expressions, speech, or physical conduct of a sexual nature;
2. Direct or implied threats that submission to sexual advances will be a condition of employment, work status, promotion, grades, or letters of recommendation;

3. Statements, comments, jokes, questions, or anecdotes of a sexual nature that a reasonable person would find intimidating, hostile, or offensive.

Discrimination and harassment on the basis of any other protected characteristic is also strictly prohibited. Under this policy, harassment is any unwelcome conduct on the basis of an individual's actual or perceived race, color, religion, national origin, ancestry, age, sex, marital status, order of protection status, disability, military status, sexual orientation, pregnancy, unfavorable discharge from military service, citizenship status, or any other category protected by law and that: (1) has the performance or experience; (2) has the purpose or effect of creating an intimidating, hostile or offensive environment; or (3) otherwise adversely affects an individual's education or employment opportunities or working conditions.

Harassing conduct includes but is not limited to: epithets, slurs, or negative stereotyping; threatening, intimidating, or hostile acts; denigrating jokes and display or circulation (including through e-mail) of written or graphic material that denigrates or shows hostility or aversion toward an individual or group.

Conduct prohibited by this policy on campus, in any College related setting, or any off-campus College event or activity, such as during trips, conferences, meetings, athletic contests, and College-related social events.

### **Retaliation is Prohibited**

Any person who, in good faith, brings forth a complaint of sexual or other harassment will not be subject to retaliation. The College absolutely prohibits retaliation against any individual who reports discrimination or harassment, participates in an investigation of such a report, or engages in any other protected activity. Any student, employee or other person who retaliates against an individual for reporting harassment or discrimination, for participating in an investigation of a claim or harassment or discrimination, or for engaging in any other form of protected activity, like an employee who engages in harassment or discrimination, will be subject to disciplinary action. Whistleblower protections are also available under the State Officials and Employees Ethics Act, the Whistleblower Act, and/or the Illinois Human Rights Act.

The College will take all necessary steps to protect the rights of both the complainant and the alleged harasser. The College will annually advise students, employees, faculty, administrators, staff, and other members of the College community of its policy prohibiting discrimination, sexual and other harassment, and retaliation.

### **Reporting Discrimination, Investigation Procedures, and Corrective Measures**

The College strongly urges the reporting of all incidents of discrimination, harassment and retaliation. Any student who believes that he or she has been discriminated against or harassed, should report such incidents to the appropriate Vice-President, the Title IX Coordinator, or the Dean of Student Affairs. The College has designated the Academic Advisor – Transfer Specialist as the Title IX Coordinator. Any employee who believes that he or she has been discriminated against or harassed should report such incidents to their immediate supervisor and the Human Resources Administrator. In addition, individuals covered by this policy have a right to file claims

of sexual discrimination and harassment with the Illinois Department of Human Rights and/or the Equal Employment Opportunity Commission (EEOC). All reports or complaints will be promptly, fully, and fairly investigated. Where discrimination and/or harassment is determined to have occurred, appropriate remedial and corrective action will be taken. The decision of the investigation will be communicated to both parties.

Board members and elected officials should report claims of sexual harassment against a member of the Board to the President. The President shall, in consultation with legal counsel for the College, ensure that an independent review is conducted with respect to such allegations.

### **Appeals**

An employee may appeal to the College President if he/she disagrees with the decision of the investigation or the corrective measures issued. All appeals must be in writing and made within 10 days of receipt of the investigation decision.

### **Responsibility of Supervisors and Witnesses**

Any employee who witnesses or becomes aware of any possible sexual or other harassment or discrimination of or by an employee should immediately inform the Human Resources Administrator.

### **False Reports**

Given the possibility of serious consequences for an individual accused of harassment, knowingly making a false report of sexual harassment or any other form of harassment is considered severe misconduct and may result in disciplinary action, up to and including termination and /or expulsion from the College as determined by such administrative or Board action as is required by law, Board policy and procedure, and/or collective bargaining agreement.

### **Policy Dissemination**

The College will regularly advise employees, students, and other members of the College community of this policy prohibiting discrimination, harassment and retaliation.

Adopted:

Amended: September 19, 2006; January 21, 2020

Legal Ref:

Cross Ref