

## **General Personnel**

### **Workplace Harassment Prohibited**

The District is committed to providing a work environment free from unlawful discrimination and harassment. To this end, the District strictly prohibits discrimination or harassment of any kind based on an individual's actual or perceived race, sex, color, national origin, age, religion, disability, sexual orientation, military / veteran status or unfavorable discharge from military service (except and unless the applicant / employee receives a RE-4 Dishonorable Discharge), pregnancy, order of protection status, citizenship status [provided the individual is authorized to work in the United States], marital status, ancestry, or any other legally protected status.

Actions, words, jokes, or comments based on any legally protected status will not be tolerated. Likewise, the District will not tolerate epithets, slurs, negative stereotyping, threatening, intimidating or hostile acts or 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. The District provides annual sexual harassment prevention training in accordance with State law.

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 the display 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 or other individual believes he or she has been the subject of sexual harassment or any other form of harassment / discrimination by a District employee, contractor or agent, the individual should and is encouraged to promptly report the alleged violation of this policy to the Human Resources Department. In addition, aggrieved individuals, if they feel comfortable doing so, may directly inform the person engaging in the harassing or inappropriate conduct or communication that such conduct or communication is offensive and must stop.

Aggrieved individuals may also report claims of harassment to any of the following: his/her immediate supervisor, the Building Principal, a District administrator, a District administrator who is of the same protected status as the aggrieved individual, the Nondiscrimination Coordinator, and/or a Complaint Manager. Individuals 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. Every effort should be made to file such complaints as soon as possible, while facts are known and potential witnesses are available.

The District's designated Nondiscrimination Coordinator is Matthew Zediker, Chief Human Resources Officer, who maintains an office at 501 7<sup>th</sup> Street, Rockford, Illinois 61104 and who can be reached via telephone at 815-489-0542 or email at [zedikem@rps205.com](mailto:zedikem@rps205.com). The District's Complaint Managers are Ehren Jarrett, Superintendent, who maintains an office at 501 7<sup>th</sup> Street, Rockford, Illinois 61104 and who may be reached via telephone at 815-966-3102 or email at [ehren.jarrett@rps205.com](mailto: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 Illinois 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 Illinois Department of Human Rights and the U. S. Equal Employment Opportunity Commission.

The Superintendent shall also use reasonable measures to inform staff members, applicants, and nonemployees of this policy, which shall include posting on the District website and/or making this policy available in the District's administrative office, and including 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).  
Illinois Human Rights Act, 775 ILCS 5/2-101(E) and (E-1) 5/2-102 (A), (A-10), (D-5), 5/2-102(E-5), 5/2-109, 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

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