General Personnel

Workplace Harassment Prohibited

NKEC expects the workplace environment to be productive, respectful, and free of unlawful discrimination, including harassment. NKEC employees shall not engage in harassment or abusive conduct on the basis of an individual's actual or perceived race, color, religion, national origin, ancestry, sex, sexual orientation, age, citizenship status, work authorization status, disability, pregnancy, marital status, order of protection status, military status, or unfavorable discharge from military service, nor shall they engage in harassment or abusive conduct on the basis of an individual's other protected status identified in Board policy Equal Employment Opportunity and Minority Recruitment. Harassment of students, including, but not limited to, sexual harassment, is prohibited by Board policies, Uniform Grievance Procedure; Title IX Sexual Harassment Grievance Procedure; Harassment of Students Prohibited; Prevention of and Response to Bullying, Intimidation, and Harassment; and Teen Dating Violence Prohibited.

NKEC will take remedial and corrective action to address unlawful workplace harassment, including sexual harassment.

Sexual Harassment Prohibited

NKEC shall provide a workplace environment free of verbal, physical, or other conduct or communications constituting harassment on the basis of sex as defined and otherwise prohibited by State and federal law. NKEC–provides annual sexual harassment prevention training in accordance with State law.

NKEC employees shall not make unwelcome sexual advances or request sexual favors or engage in any unwelcome 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, but is not limited to, verbal, physical, or other conduct. The terms intimidating, hostile, or offensive include, but are not limited to, conduct that has the effect of humiliation, embarrassment, or discomfort. Sexual harassment will be evaluated in light of all the circumstances.

Making a Report or Complaint

Employees and nonemployees (persons who are not otherwise employees and are directly performing services for the District pursuant to a contract with NKEC, including contractors, and consultants) are encouraged to promptly report information regarding violations of this policy. Individuals may choose to report to a person of the individual's same gender. Every effort should be made to file such reports or complaints as soon as possible, while facts are known and potential witnesses are available.

Aggrieved individuals, if they 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.

Whom to Contact with a Report or Complaint

An employee should report claims of harassment, including making a confidential report, to any of the following: his/her immediate supervisor, the Building Principal, an administrator, the Nondiscrimination Coordinator, and/or a Complaint Manager.

An employee may also report claims using Board policy, Uniform Grievance Procedure. If a claim is reported using Board policy, then the Complaint Manager shall process and review the claim according to that policy, in addition to any response required by this policy.
The CEO or designee shall insert into this policy the names, office addresses, email addresses, and telephone numbers of the NKEC's current Nondiscrimination Coordinator and Complaint Managers. The Nondiscrimination Coordinator also serves as the NKEC's Title IX Coordinator.

Nondiscrimination Coordinator:

Karissa Munger
840 Campus Drive
Pingree Grove, IL. 60140
kmunger@clcssstaff.org

(847) 648-9700

Complaint Managers:

Alicia Parker
840 Campus Drive
Pingree Grove, IL 60140
aparker@clcsstaff.org

(847) 648-9700

Karissa Munger
840 Campus Drive
Pingree Grove, IL 60140
kmunger@clcssstaff.org

(847) 648-9700

Investigation Process

Any NKEC employee who receives a report or complaint of harassment must promptly forward the report or complaint to the Nondiscrimination Coordinator or a Complaint Manager. Any

employee 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 NKEC's duty to investigate and maintain a workplace environment that is productive, respectful, and free of unlawful discrimination, including harassment.

For any report or complaint alleging sexual harassment that, if true, would implicate Title IX of the Education Amendments of 1972 (20 U.S.C. §1681 et seq.), the Nondiscrimination Coordinator or designee shall consider whether action under policy Title IX Sexual Harassment Grievance Procedure, should be initiated.

For any other alleged workplace harassment that does not require action under policy, Title IX Sexual Harassment Grievance Procedure, the Nondiscrimination Coordinator or a Complaint Manager or designee shall consider whether an investigation under policy, Uniform Grievance Procedure, and/or Employee Ethics; Code of Professional Conduct; and Conflict of Interest, should be initiated, regardless of whether a written report or complaint is filed.

Reports That Involve Alleged Incidents of Sexual Abuse of a Child by School Personnel

An alleged incident of sexual abuse is an incident of sexual abuse of a child, as defined in 720 ILCS 5/11-9.1A(b), that is alleged to have been perpetrated by school personnel, including a school vendor or volunteer, that occurred: on school grounds during a school activity; or outside of school grounds or not during a school activity.

Any complaint alleging an incident of sexual abuse shall be processed and reviewed according to policy Abused and Neglected Child Reporting. In addition to reporting the suspected abuse, the complaint shall also be processed under policy~~,~~ Title IX Sexual Harassment Grievance Procedure, or policy, Uniform Grievance Procedure.

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 NKEC Board, e.g. vendor, parent, invitee, etc. Any person making a knowingly false accusation regarding harassment will likewise be subject to disciplinary action, which for an employee that may be 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 complaints or providing information about harassment is prohibited (see Board policy Uniform Grievance Procedure), and depending upon the law governing the complaint, 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

NKEC 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 CEO or designee shall also use reasonable measures to inform staff members, applicants, and nonemployees of this policy, which shall include posting on the NKEC website and/or making this policy available in the NKEC's administrative office, and including this policy in the appropriate handbooks.

Board Adoption Date: February 13, 2023.

Revision Date: January 4, 2023.

Legal Reference: 42 U.S.C. §2000e et seq., Title VII of the Civil Rights Act of 1964; 29 C.F.R. §1604.11.
20 U.S.C. §1681 et seq., Title IX of the Education Amendments of 1972; 34 C.F.R. Part 106.
5 ILCS 430/70-5(a), State Officials and Employees Ethics 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, Ill. Human Rights Act.
56 Ill. Admin.Code Parts 2500, 2510, 5210, and 5220.
Vance v. Ball State Univ., 570 U.S. 421 (2013).
Crawford v. Metro. Gov't of Nashville & Davidson Cnty., 555 U.S. 271 (2009).
Jackson v. Birmingham Bd. of Educ., 544 U.S. 167 (2005).
Oncale v. Sundowner Offshore Servs., 523 U.S. 75 (1998).
Burlington Indus. v. Ellerth, 524 U.S. 742 (1998).
Faragher v. City of Boca Raton, 524 U.S. 775 (1998).
Harris v. Forklift Systems, 510 U.S. 17 (1993).
Franklin v. Gwinnett Co. Public Schools, 503 U.S. 60 (1992).
Meritor Savings Bank v. Vinson, 477 U.S. 57 (1986).
Porter v. Erie Foods Int, Inc., 576 F.3d 629 (7th Cir. 2009).
Williams v. Waste Mgmt., 361 F.3d 1021 (7th Cir. 2004).
Berry v. Delta Airlines, 260 F.3d 803 (7th Cir. 2001).
Sangamon Cnty. Sheriff's Dept. v. Ill. Human Rights Com'n, 233 Ill.2d 125 (Ill. 2009).