



TEST POLICY

Board Bylaw:
Policy Number: 9.9999
Subject Area: Personnel
Adopted: 07/06/2024
Revised: 08/15/2024



NON-HARASSMENT POLICY

Board Bylaw:
Policy Number: 4.1010 **Subject Area:** Personnel
Adopted: 12/21/2002 **Revised:** 12/21/2002
Revised: 09/2024

General Policy Statement

Kaskaskia College is committed to providing its employees and students with a work and learning environment that is professional and free of unlawful discrimination, including harassment, on the basis of legally protected status. Accordingly, the College prohibits all harassment, including sexual harassment, based on protected group status and will not tolerate any form of harassment. This policy includes conduct directed toward any student or employee by any co-worker, student, supervisor, vendor, client, or any other third party.

Everyone at Kaskaskia College is responsible for ensuring that our College is free from harassment and is expected to avoid any behavior or conduct that could reasonably be interpreted as harassment. The College will take whatever action is needed to prevent, stop, correct, or discipline behavior that violates this policy. Disciplinary action may include, but is not limited to, oral or written warnings, demotion, transfer, suspension, or dismissal for cause.

The College will take measures to provide ongoing education and training to employees and students regarding this topic. All employees and students are expected to participate in such education and training.

Equal Employment Opportunity

It is the policy of Kaskaskia College to ensure equal employment opportunity without discrimination or harassment on the basis of race (including hairstyle/texture), color, religion, sex, sexual orientation, gender identity or expression, age, disability, marital status, citizenship, national origin, or any other characteristic protected by law.

Definition and Examples of Sexual Harassment

Sexual harassment may involve the behavior of a person of either sex toward a person of the opposite sex or the same sex and can occur on or off campus.

Prohibited sexual harassment is defined to include unwelcome sexual advances, requests for sexual favors, and other verbal, physical, visual, or other expressive behaviors or physical conduct commonly understood to be of a sexual nature, when:

- Submission to or toleration of such conduct is made, either explicitly or implicitly, a term or condition of instruction, employment, or participation in other College activities;
- Submission to or rejection of such conduct is used as a basis for employment or academic decisions or assessments affecting the individual's status as an employee or student; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's status as a student or employee or creates an intimidating, hostile, or offensive work or educational environment.

The fact that someone did not intend to sexually harass an individual is generally not considered a defense to a complaint of sexual harassment. It is generally the characteristics and context of the behavior, and how the behavior could be reasonably perceived by the affected individual that determine whether sexual harassment occurred.

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

- physical/sexual assault
- direct or implied threats that submission to sexual advances will be a condition of employment, work or academic status, promotion, grades, or letters of recommendation
- repeated sexual flirtations, advances, or propositions
- the posting of sexually suggestive objects, pictures, cartoons, or posters
- suggestive or obscene letters, notes, or invitations
- comments of a sexual nature and/or sexually explicit statements, questions, jokes, or anecdotes
- offensive physical contact, such as patting, grabbing, pinching, or brushing against another's body.

For conduct to be considered sexual harassment, it need not be direct or explicit. Sexual harassment can be implied from the conduct, circumstances, and the relationship of the individuals involved.

Prohibited Conduct and Retaliation

The conduct prohibited by this policy includes unwelcome conduct, whether verbal, physical, or visual, that is based upon the individual's protected status, such as sex, color, race, national origin, religion, age, disability, sexual orientation, gender identity or expression or other protected group status as defined by law. This policy also prohibits malicious and/or knowingly false accusations. Retaliation Kaskaskia College forbids retaliation against any individual for seeking information on harassment, making a charge, filing a harassment complaint, or testifying, assisting, or participating in an investigation, proceeding, or hearing involving a complaint of harassment, including bullying or intentional behavior targeted at an individual or group that is repeated, hostile or offensive, and creates an intimidating and/or threatening environment which produces a risk of psychological and/or physical harm. Bullying includes but is not limited to verbal, physical, non-verbal, cyber, exclusion, and personal intimidation.

Reporting an Incident of Harassment, Discrimination, or Retaliation

Kaskaskia College encourages reporting of all perceived incidents of harassment, discrimination, or retaliation, regardless of the offender's identity or position. Individuals who believe that they have been the victim of such conduct should discuss their concerns with their immediate supervisor and Human Resources.

Confidentiality

All parties in the complaint process are obligated to protect the privacy of all persons involved. The College will take reasonable steps to ensure confidentiality; however, confidentiality cannot be guaranteed.

Complaint Procedures

Individuals may report acts of harassment using the procedures following this policy and/or may file a complaint with the Illinois Department of Human Rights (IDHR) and/or the United States Equal Employment Opportunity Commission (EEOC). A charge with IDHR must be filed within 180 days of the incident of sexual harassment. A charge with EEOC must be filed within 300 days of the incident. A complaint filed with an external agency does not initiate the College's internal complaint procedures unless the College is also notified of such complaint.

Approval History: Replacement Non-Harassment 2.101 Approved 03/21/2002, 01/31/2008