



## **Anti-Harassment, including Sexual Harassment Policy**

### **Statement of Policy**

A working and learning environment that is free from any form of unlawful discrimination including harassment on the basis of any legally protected status is essential and shall be maintained. It will be a violation of College policy for anyone, including any College employee, elected official, vendor, student, contractor or any visitors or third party to harass another individual in the work place, educational environment, or at College-sponsored activities on the basis of any legally protected group status and the College will not tolerate any form of harassment, including sexual harassment. Violation of this policy shall be considered grounds for corrective action including disciplinary action up to and including expulsion from the College or termination of employment.

### **Prohibited Conduct**

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, ancestry, religion, national origin, age, disability, marital status, veteran's status, citizenship status, sexual orientation or other protected group status as defined by law. The College will not tolerate harassing conduct that affects tangible job benefits or educational development, that interferes unreasonably with an individual's work or educational performance, or that creates an intimidating, hostile or offensive working or learning environment. Such harassment may include, for example, jokes or epithets about another person's protected status, or teasing or practical jokes directed at a person based upon his or her protected status.

### **Definition of Sexual Harassment**

"Sexual harassment" consists of unwelcome sexual advances; requests for sexual favors; and other verbal or physical conduct of a sexual nature when made by any individual to another, including persons of the opposite or same-sex, where:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of a person's employment or educational development;
2. Decisions affecting an individual's employment or education are made on the basis of whether the person submits to or rejects sexual demands; or
3. Such conduct has the purpose or effect of reasonably interfering with an individual's work or educational performance or creates an intimidating, hostile or offensive working or learning environment.

Sexual harassment may also occur between students. Any conduct by another student which is physically threatening or humiliating or which unreasonably interferes with a student's educational performance should be brought to the attention of the College for investigation and appropriate action.

Some conduct commonly defined as sexual harassment includes (but is not limited to):

1. Verbal: Sexual innuendos; suggestive comments, humor and jokes about sex, anatomy or gender specific traits; sexual propositions or statements of a sexual nature about other employees or students, even outside of their presence.
2. Non-verbal: Suggesting or insulting sounds (whistling, "catcalls," "smacking" or "kissing" noises); leering; obscene gestures or sexually suggestive bodily gestures.
3. Visual: Posters, signs, pin-ups, cartoons or slogans of a sexual nature.
4. Physical: Unwelcome touching; hugging or kissing; pinching or brushing against the body; physical or emotional coercion of sexual intercourse; or actual assault.

### **Investigation and Grievance Procedure**

Any individual who believes that he/she has been subjected to sexual harassment, has been informed of conduct constituting harassment or who witnesses harassment should promptly submit a complaint to the Vice President of Administration and Community Services or the President in accordance with the following grievance procedures. Students should submit their complaints to the Vice President of Academic Affairs. The Vice President of Administration and Community Services or the Vice President of Academic Affairs shall be responsible for the investigation and grievance procedures contained herein. If an employee receives a complaint of harassment directly from another employee the complaint shall be immediately reported to the Vice President of Administration and Community Services.

1. Any individual wishing to submit a complaint (i.e., the "complainant") must submit a statement to the appropriate Vice President (employees – Vice President of Administration and Community Services; students – Vice President of Academic Affairs), Lewis and Clark Community College, 5800 Godfrey Road, Godfrey, IL 62035, or alternatively, the President. The statement should state the specific facts and/or perceived wrongful act (e.g., location, names, dates, times) to be investigated. All such complaints should be submitted promptly.
2. The Vice President of Administration and Community Services or the Vice President of Academic Affairs or his/her designee shall promptly and thoroughly investigate the complaint describing conduct inconsistent with the policy.
3. If an investigation confirms a violation of this policy has occurred, the College will take corrective action, including discipline, up to and including expulsion or discharge, as is appropriate under the circumstances. In the event of harassment by an individual who does not work for the College, the College will take corrective action as is reasonable and appropriate under the circumstances.

Those who feel they have been sexually harassed or discriminated against may seek assistance from the Illinois Department of Human Rights. The Department of Human Rights is a state agency, which will investigate the charge without cost to the individual. If the Department of Human Rights determines that there is evidence of harassment or discrimination, it will attempt to conciliate the matter or it will file a complaint on behalf of the individual with the Illinois Human Rights Commission. The

Human Rights Commission will hear the complaint pursuant to its rules and procedures. The agencies may be contacted at the following addresses:

- Illinois Department of Human Rights  
State of Illinois Center  
100 W. Randolph Street, Suite 5-100  
Chicago, Illinois 60601  
Telephone (312) 814-6245
- Illinois Human Rights Commission  
State of Illinois Center  
100 W. Randolph Street, Suite 5-100  
Chicago, Illinois 60601  
Telephone (312) 814-6269

### **Retaliation**

Reporting harassment will not reflect adversely upon an individual's employment or educational status. Retaliation is prohibited and persons found to have retaliated or discriminated against an employee, student or other individual for complaining about harassment or for initiating or assisting with a claim of harassment will be subject to appropriate disciplinary action up to and including expulsion or discharge. Anyone experiencing or witnessing any conduct he or she believes to be retaliation should immediately report it.

### **Confidentiality**

The rights to confidentiality, both of the complainant and of the accused, will be respected consistent with the management of the College, including the College's legal obligations to investigate allegations of misconduct and to take corrective action when this conduct has occurred.