

4.034 Sexual Harassment (Revised 4/22/25)

The College shall provide students, employees and third parties an environment free from unwelcome sexual-or gender-based advances, requests for sexual favors and other verbal, written, electronic (including, but not limited to social media), visual, virtual, and/or physical conduct constituting sexual harassment as herein defined and as otherwise prohibited by state or federal law. College employees, students, and third persons are prohibited from sexually harassing other employees, students, or third persons. For purposes of this policy, third persons include any person other than College employees and students, on College property, or at any College-sponsored event or at any activity which bears a reasonable relationship to the College.

Sexual harassment is prohibited by Titles VI and VII of the Civil Rights Act of 1964 as amended in 1991, Title IX of the Educational Amendment of 1972, and the Illinois Human Rights Act. Retaliation for making a good faith complaint of sexual harassment or for participating in an investigation is also prohibited by law.

Sexual harassment can occur in a variety of circumstances, including but not limited to the following:

- The employee as well as the harasser may be a woman or a man. The employee does not have to be of the opposite sex.
- The harasser can be the employee's supervisor, an agent of the employer, a supervisor in another area, a co-worker, a student, or a third-party on campus.
- The employee, student or third-party does not have to be the person harassed but could be anyone directly affected by the offensive conduct.
- Unlawful sexual harassment may occur without economic injury to or discharge of the offender.
- The harasser's conduct must be unwelcome.

This policy applies to all members of the College community including students, employees, volunteers, and other representatives of the College. In certain circumstances, this harassment policy also applies to third parties, such as subcontractors, sales representatives, repairpersons, or vendors doing business with the College.

A. Definitions of Sexual Harassment:

1. Sexual harassment means:
 - a. Any unwelcome sexual advances by an employee, student or third person toward an employee, student or third-party person; or
 - b. Any request by an employee, student or third person to an employee, student or third-party person for sexual favors; or
 - c. Any conduct of a sexual nature or any verbal, written, electronic (including, but not limited to social media), visual, virtual, or physical conduct based on sex when:
 1. submission to or participation in such conduct is made, whether explicitly or implicitly, a term or condition of an individual's employment at the College, or

2. submission to or rejection of such conduct is used as the basis for employment decisions affecting such individual's employment at the College, or
 3. the student's submission to or rejection of such conduct is, whether explicitly or implicitly, a term or condition of the student's grade, extent or nature of work necessary to successfully complete course work, or student's participation in any College-sponsored event or activity; or
 4. submission to or rejection of such conduct is used as the basis for decisions concerning the student's grade or the student's selection or participation in any College-sponsored event or activity; or
 5. such conduct has the purpose or effect of substantially interfering with a student's performance or creating an intimidating, hostile or offensive collegiate environment; or such conduct has the purpose or effect of substantially interfering with an individual's work or student performance or creating an intimidating, hostile or offensive environment.
2. Sexual harassment prohibited by this policy includes intentional and/or unwelcome verbal, written, electronic (including, but not limited to social media), visual, virtual, or physical conduct that tends to be severe or repetitive in nature. Some conduct obviously constitutes sexual harassment – such as a threat that a grade or promotion will depend on submission to a sexual advance. But whether particular conduct constitutes sexual harassment will often depend upon the specific context of the situation, including the participants' reasonable understanding of the situation, their past dealings with each other, the nature of their professional relationship (e.g., supervisor- subordinate, faculty-student, student-student, colleague, etc.) and the specific setting. The inquiry can be particularly complex in an academic community, where the free and open exchange of ideas and viewpoints preserved by the concept of academic freedom may sometimes prove distasteful, disturbing or offensive to some. Some examples of sexual harassment are:
- sexual advances
 - touching of a sexual nature
 - graffiti of a sexual nature
 - displaying or distributing sexually explicit drawings, pictures and written materials (including displaying or distribution through electronic communications and social media)
 - sexual gestures
 - sexual or "dirty" jokes
 - pressure for sexual favors
 - touching oneself sexually or talking about one's sexual activity in front of others
 - spreading rumors about or rating other individuals as to sexual activity or performance
 - offering employment benefits in exchange for sexual favors
 - retaliating or threatening retaliation after a negative response to a sexual advance or after an employee or student has made or threatened to make a harassment complaint.

3. The terms intimidating, hostile or offensive as used above include, but are not limited to, conduct which has the effect of humiliation, embarrassment or discomfort. Sexual harassment will be evaluated in the light of all of the circumstances.
4. This policy against harassment shall be applied in a manner that protects the academic freedom and freedom of expression of all parties to a complaint. Academic freedom and freedom of expression include but are not limited to the expression of ideas in the classroom. Instructional freedom will include appropriate latitude for pedagogical decisions concerning the topics discussed and methods used to draw students into discussion and full participation. Classroom discussion of alternative ideas or controversial points of view on related topics shall not be considered harassment.

B. Responsibilities:

1. The College encourages prompt reporting of harassment. It is the express policy of the College to encourage targets of harassment to come forward with such claims.
2. Management and supervisory personnel, at all levels, are responsible for taking reasonable and necessary action to prevent sexual harassment. Supervisors shall be responsible for ensuring compliance with this policy by:
 - a. Monitoring the workplace environment for signs of sexual or other harassment;
 - b. Promptly notifying law enforcement where there is reasonable belief that the observed or complained of conduct violates the criminal laws of the State of Illinois. In addition, all such incidents should immediately be reported to the Title IX Coordinator at (815) 599-3531, or the Director of Human Resources at (815) 599-3402, or the HR Manager at (815) 599-3602, or the Coordinator Career Services at (815) 599-3597.
 - c. Promptly stopping any observed acts of discrimination or harassment and taking appropriate steps to intervene.
 - d. Promptly reporting any complaint of harassment or discrimination to one of the College investigators.
3. Each employee is responsible for assisting in the prevention of discrimination and harassment by:
 - a. Refraining from participation in, or encouragement of, actions that could be perceived as discrimination or harassment.
 - b. Intervening if they find themselves as a bystander to any inappropriate behaviors on campus and feel it is safe to do so.
 - c. Promptly reporting harassment or discrimination or suspected harassment or discrimination to management and supervisors before it becomes severe, persistent or pervasive.
4. In most cases, there is a clear line between a mutual attraction and a consensual exchange and unwelcome behavior or pressure for an intimate relationship. A friendly interaction between two persons who are receptive to one another is not

considered unwelcome or harassment. Individuals covered by this policy are free to form social relationships of their own choosing. However, when one person is pursuing or forcing a relationship upon another person who does not like or want it, regardless of friendly intentions, the behavior is unwelcome sexual behavior. A person confronted with these actions is encouraged to inform the harasser that such behavior is offensive and must stop. You should assume that sexual comments are unwelcome unless you have clear indications to the contrary. In other words, another person does not have to tell you to stop for your conduct to be harassment and unwelcome. Sexual communications and sexual contact with a minor are ALWAYS prohibited.

5. If you are advised by another person that your behavior is offensive, you must immediately stop the behavior, regardless of whether you agree with the person's perceptions of your intentions.
6. The College does not consider conduct in violation of the sexual harassment policy to be within the course and scope of employment or education and does not sanction such conduct on the part of any employee, including supervisory and management employees or any employee with authority over another person covered under the sexual harassment policy.

C. Dissemination of Policy/Procedures:

1. Information on this policy will be distributed in the College's Policy Manual, College Catalog, the College website, College's General drive under HR-Payroll Resources, and via posters and brochures placed around campus. Periodic notices sent to students and employees about the College's sexual harassment policy will include information about the complaint procedure and will refer individuals to designated offices/officials for additional information.
2. Students registered at Highland Community College will receive information annually related to this policy. Informational brochures are distributed throughout campus and posters related to sexual harassment and reporting harassment are posted throughout campus.
3. New employees will be required to read the policy, sign an acknowledgement form that they have read the policy, and complete on-line harassment training. Employees are to complete annual on-line training and are encouraged to report any evidence of sexual or other harassment in the workplace whether they are victims or if they witness such harassment. Supervisors and managers are required to report any known or reported harassment and will be trained to recognize and take action against harassment of any kind.

4. The sexual misconduct and violence policy 3.27, prohibition of sexual misconduct policy 3.28, non-discrimination policy 4.031, and/or the non-violence policy 4.39 may also apply in some incidents that are reportable under policy 4.034. Refer to those policies for additional guidance related to reporting responsibilities and protocol.
5. The process to file a complaint of actual or suspected discrimination-related harassment can be found in the Policy 4.036, Sexual Harassment and Discrimination-Related Harassment Reporting Process.