



**SOUTHWESTERN ILLINOIS COLLEGE
DISTRICT 522**

BOARD POLICY

TITLE:	Sex Discrimination and Sex-based Harassment (formerly Sexual Harassment/Misconduct Policy)
CODE:	7021
DATE ADOPTED:	May 2016
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DATE AMENDED:	Dec 2022; Oct 2023

PURPOSE

Southwestern Illinois College (“SWIC” or “the College”) prohibits discrimination on the basis of sex, which includes sex-based harassment, in its education and employment programs and activities. The prohibited offenses outlined in this policy may also be prohibited by Title IX of the Higher Education Amendments of 1972, 20 U.S. C. § 1681 et seq. (“Title IX”), by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (“Clery Act”) and Section 304 of the Violence Against Women Reauthorization Act of 2013 (“VAWA”), Title VII of the Civil Rights Act of 1964, and other applicable statutes, including the Illinois Human Rights Act, and the Illinois Preventing Sexual Violence in Higher Education Act (“ILPSVHE Act,” 110 ILCS 155). This policy prohibits a broad continuum of harassment on the basis of sex, some of which are not prohibited under Title IX or other laws. Their inclusion in this policy reflects SWIC’s standards and expectations for a working and learning environment where everyone is free to work and learn safely.

Nothing in this policy shall affect the right of an individual to file a complaint with external law enforcement agencies, if applicable. A complaint may be filed concurrently with external law enforcement agencies and the College without jeopardizing an individual’s rights to an investigation or other process.

Inquiries regarding the application of this policy and the respective resolution process and procedures used to resolve complaints may be referred to the recipient’s Title IX Coordinator, to the U.S. Department of Education’s Office for Civil Rights, or both.

SCOPE

This policy covers how SWIC will respond to instances or allegations of sex discrimination as defined by this policy, including discrimination on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity. The policy also covers instances and allegations of sex-based harassment including sexual assault, dating violence, domestic violence, and stalking.

In addition to harassment on the basis of sex, the College prohibits discrimination in its employment practices and its educational programs and activities on the basis of race, color, religion, national origin, age, disability, genetic information, and veteran status. The College’s full [Non-Discrimination Policy](http://swic.edu/students/swic-cares-about-you) may be found at swic.edu/students/swic-cares-about-you.

Alleged harassment and discrimination not identified under this policy, including harassment that is not on the basis of sex, may be addressed under Student Rights and Code of Conduct policy located under the Student Services Page as included in the Student Rights and Conduct Policy.

This policy governs the conduct of SWIC students, faculty, staff, and third parties (e.g., non-members of the College community, such as applicants, volunteers, vendors, alumni/ae, trustees, visitors, or local residents). Third parties may be protected by and subject to this policy depending on their relationship with the College. A third-party may make a report or complaint of an alleged violation of this policy by a member of the College community. A third-party may also be permanently barred from the College or subject to other restrictions for failing to comply with this policy.

This policy applies to conduct that occurs within the College's premises, which includes land, buildings, facilities, and other property in the possession of or owned, used, or controlled by the College, either solely or in conjunction with another entity. This includes the College's computing and networking resources whether accessed on the College's physical property or remotely. On-line and/or social media conduct may violate this policy if it meets the definition of Prohibited Conduct and may also be a violation of other College policies including the SWIC Terms of Use page which can be found at <https://www.swic.edu/knowledgebase/swic-terms-of-use/>.

This policy also applies to conduct not on the College's premises that is associated with a College-sponsored program or activity, such as travel, research, or internship programs. The College may apply this policy to any off-campus conduct that contributes to a hostile environment on campus or within the educational setting. The Title IX Coordinator or designee will reasonably determine when an alleged off-campus incident falls within the jurisdiction of this policy.

All aspects of this policy will be carried out in a fair and impartial manner.

POLICY DEFINITIONS

Advisor of Choice

For resolutions involving students or for employee reports involving dating violence, domestic violence, sexual assault or stalking, the parties may be accompanied to any meeting or resolution proceeding by the advisor of their choice. An advisor of choice is any individual who provides the complainant or respondent support, guidance, or advice and is not also a witness in the case. The advisor may not participate in the meetings or speak on behalf of the party except as outlined in this policy. The College will not limit the choice of advisor but may remove an advisor that violates the College's established rules of decorum. An advisor should be chosen whose schedule allows attendance at the scheduled dates and times because delays typically will not be allowed due to the scheduling conflicts of an advisor. An employee may serve as an advisor but is not required to do so even if requested. In cases that meet the threshold for Title IX Sexual Harassment, the parties must have an advisor of choice for the hearing. If a party does not have an advisor, the College will appoint one for the hearing free of charge.

Appeals Officer

The "Appeals Officer" is the person or persons that will make the determination on any appeal submitted under this policy including appeals of dismissals and determinations of responsibility. The Appeals Officer may be an employee or a contracted service provider.

Complainant

"Complainant" means a person who is alleged to have been subject to conduct that could constitute sex discrimination.

Confidential Support Person

A “Confidential Support Person” is designated by the College to provide student complainants emergency and ongoing support and to advise the complainant on options for reporting alleged violations of this policy. Confidential support persons have information on resources and supportive measures, will advise individuals on reporting options, and may serve as a liaison where appropriate. Confidential support persons have received 40 hours of training on sexual violence, attend a minimum of 6 hours of ongoing education training annually, and receive periodic training on the campus administrative processes, supportive measures, and the College’s resolution processes.

Decision-maker

The “Decision-maker” is the person or persons that will make the determination of responsibility at the conclusion of a formal resolution process under this policy. The decision-maker may be an employee or a contracted service provider.

Investigator

The “Investigator” is the person or persons assigned to conduct an investigation of a complaint. The investigator may be an employee or a contracted service provider.

Party

“Party” means either the complainant(s) or respondent(s) in an investigation or proceeding relating to a report of alleged Prohibited Conduct. A respondent becomes a “party” to the action upon receipt of notice of the complaint.

Respondent

“Respondent” means a person who is alleged to have violated the College’s prohibition on sex discrimination. A respondent is presumed not responsible for alleged conduct until a determination whether sex discrimination occurred is made at the conclusion of a resolution process outlined in this policy. When a sex discrimination complaint alleges that a College policy or practice discriminates on the basis of sex, the College is not considered a respondent as it relates to the respondent’s rights in this policy.

Title IX Coordinator

The “Title IX Coordinator” is responsible for overseeing the College’s response to reports of sex discrimination and to ensure compliance with Title IX and VAWA, including oversight of all recordkeeping and training. The Title IX Coordinator is also responsible for coordinating the effective implementation of supportive measures and remedies. The Title IX Coordinator may delegate responsibilities under this policy to a Deputy Title IX Coordinator or other designee, who will be appropriately trained per the requirements of Title IX and VAWA. For purposes of this policy, any reference to the Title IX Coordinator should be read as the “Title IX Coordinator, Deputy Title IX Coordinator, or other designee.”

Title IX Personnel

“Title IX Personnel” include all individuals whose duties include receipt, referral, and implementation of the resolution process and procedures for reports and complaints of student and employee alleged violations of this policy. All Title IX personnel shall receive annual training as required by Title IX, VAWA, and Illinois state law. Persons falling under this description include without limitation the Title IX Coordinator(s), investigators, decision-makers, appeals officers, alternative dispute resolution facilitators, members of public safety, and any contracted service providers of SWIC or student workers,

with any of the responsibilities outlined herein. Title IX Personnel will not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

Witness

“Witness” means any individual who has direct knowledge of an incident or is considered an expert witness in an area relevant to the allegation. Character witnesses are not part of the investigation and resolution processes.

PRIVACY AND CONFIDENTIALITY

Issues of privacy and confidentiality play important roles in this policy and may affect individuals differently. Privacy and confidentiality are related but distinct terms. “Confidentiality” refers to the circumstances under which information will or will not be disclosed to others. “Privacy” refers to the discretion that will be exercised by the College in the course of any investigation or resolution processes under this policy.

Individuals involved in the resolution process under this policy are encouraged to exercise discretion in sharing information in order to safeguard the integrity of the process and to avoid the appearance of retaliation. While discretion regarding the process is important, complainants and respondents are not restricted from discussing and sharing information with others who may support or assist them in presenting their case.

In some circumstances, the reporting responsibilities of College employees, or the College’s responsibility to investigate, may conflict with the preferences of the complainant and/or respondent with regard to privacy and confidentiality. Therefore, all individuals are encouraged to familiarize themselves with their options and responsibilities. In all such proceedings, the College will take into consideration the privacy of the parties to the extent possible.

Any additional disclosure of information related to the Complaint or report may be made if consistent with the College’s privacy policy, the Family Educational Rights and Privacy Act (FERPA) or Title IX requirements.

PROHIBITED CONDUCT

For purposes of this policy, the following definitions constitute conduct to be “on the basis of sex” which includes sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity. Attempts to commit any Prohibited Conduct are prohibited and will be considered the same as completed acts.

Sex Discrimination

“Sex Discrimination” means discrimination on the basis of sex and includes discrimination on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity.

Quid Pro Quo Harassment

“Quid Pro Quo Harassment” occurs when an employee, agent, or other person authorized by the College to provide an aid, benefit, or service under the College’s education program or activity explicitly or impliedly conditioning the provision of such an aid, benefit, or service on a person’s participation in unwelcome sexual conduct.

Hostile Environment Harassment

“Hostile Environment Harassment” is unwelcome sex-based conduct that is sufficiently severe or pervasive, that, based on the totality of the circumstances and evaluated subjectively and objectively, denies or limits a person’s ability to participate in or benefit from the College’s education program or activity (i.e., creates a hostile environment).

Sexual Assault—Non-Consensual Sexual Penetration

“Non-Consensual Sexual Penetration” is penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without consent.

Sexual Assault—Non-Consensual Sexual Contact

“Non-Consensual Sexual Contact” is the touching of the private body parts, including but not limited to breasts, buttocks, or groin, of another person for the purpose of sexual gratification, without consent.

Sexual Assault—Incest

“Incest” is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law. In Illinois, this includes sexual contact between persons who are brothers and sisters, parents and children, including stepparents, stepchildren, and adopted persons, as well as aunts/uncles with nieces/nephews and between grandparents and grandchildren.

Sexual Assault—Statutory Rape

“Statutory Rape” is sexual intercourse with a person who is under the statutory age of consent, which in Illinois is 17 years of age.

Domestic Violence

“Domestic Violence” means acts of violence committed by a person who (A) is a current or former spouse or intimate partner of the victim under Illinois law or a person similarly situated to a spouse of the victim; (B) is cohabitating, or has cohabitated, with the victim as a spouse or intimate partner; (C) shares a child in common with the victim or (D) commits acts against a youth or adult victim who is protected from those acts under Illinois family or domestic violence laws. For purposes of this policy, Domestic Violence does not include acts that meet the definition of domestic violence under Illinois laws that are based solely on cohabitation (e.g. roommates) or family relationship (e.g. parent/child). While non-relationship violence would not be addressed using this policy, it may be addressed under other College policies.

Dating Violence

“Dating Violence” is violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the complainant.

Stalking

“Stalking” is engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person’s safety or the safety of others; or suffer substantial emotional distress.

Sexual Exploitation

“Sexual Exploitation” is any act whereby one person violates the sexual privacy of another or takes unjust or abusive sexual advantage of another who has not provided consent, and that does not constitute another offense as defined above. Examples may include acts such as recording, photographing, streaming or otherwise transmitting, viewing, or distributing intimate or sexual images

or sexual information without the knowledge and consent of all parties involved; voyeurism (i.e., spying on others who are in intimate or sexual situations), knowingly transmitting a sexually transmitted infection to another, or facilitating the sexual harm of another person.

Retaliation

“Retaliation” means intimidation, threats, coercion, or discrimination against any person by a student, employee, or college-authorized person for the purpose of interfering with any right or privilege under this policy. This may include retaliation against a person for reporting information, making a complaint, or participating in or refusing to participate in an investigation, proceeding, or hearing. The Title IX Coordinator will determine the applicable policy and resolution process when an allegation of retaliation is made.

Definition of Consent

For purposes of the definitions of Prohibited Conduct, “Consent” is defined as a freely given agreement to sexual activity. A person can withdraw consent at any time.

A person cannot consent to sexual activity if that person is unable to understand the nature of the activity or give knowing consent due to circumstances, including without limitation any of the following:

- The person is incapacitated due to the use or influence of alcohol or drugs.
- The person is asleep or unconscious.
- The person is underage.
- The person is incapacitated due to a mental disability.

The following also does not constitute consent:

- a person’s lack of verbal or physical resistance or submission resulting from the use or threat of force
- a person’s manner of dress
- a person’s consent to past sexual activity

a person’s consent to engage in sexual activity with one person does not constitute consent to engage in sexual activity with another

i. The illegality of sexual harassment.

Harassment and discrimination on the basis of sex is illegal by both State and Federal civil rights laws and is strictly prohibited at SWIC. Sexual harassment will not be tolerated and anyone who experiences harassment or discrimination on the basis of sex should promptly report the incident to the institution's Title IX Coordinator using the contact information provided in the comprehensive policy. The policy and resolution procedure is attached to this appendix and may also be accessed via this [link](#).

ii. Definition of sexual harassment under State law.

Sexual harassment as defined in this policy is inclusive of the definition under the State of Illinois. "Sexual harassment in elementary, secondary, and higher education" in the State of Illinois means any unwelcome sexual advances or requests for sexual favors made by an elementary, secondary, or higher education representative to a student, or any conduct of a sexual nature exhibited by an elementary, secondary, or higher education representative toward a student, when such conduct has the purpose of substantially interfering with the student's educational performance or creating an intimidating, hostile or offensive educational environment; or when the elementary, secondary, or higher education representative either explicitly or implicitly makes the student's submission to such conduct a term or condition of, or uses the student's submission to or rejection of such conduct as a basis for determining:

1. Whether the student will be admitted to an institution of elementary, secondary, or higher education;
2. The educational performance required or expected of the student;
3. The attendance or assignment requirements applicable to the student;
4. To what courses, fields of study or programs, including honors and graduate programs, the student will be admitted;
5. What placement or course proficiency requirements are applicable to the student;
6. The quality of instruction the student will receive;
7. What tuition or fee requirements are applicable to the student;
8. What scholarship opportunities are available to the student;
9. What extracurricular teams the student will be a member of or in what extracurricular competitions the student will participate;
10. Any grade the student will receive in any examination or in any course or program of instruction in which the student is enrolled;
11. The progress of the student toward successful completion of or graduation from any course or program of instruction in which the student is enrolled; or
12. What degree, if any, the student will receive.

(Source: P.A. 96-1319, eff. 7-27-10.)

Sexual harassment also includes acts of "sexual violence." "Sexual violence" means physical sexual acts attempted or perpetrated against a person's will or when a person is incapable of giving consent, including without limitation rape, sexual assault, sexual battery, sexual abuse, and sexual coercion.

iii. Description of sexual harassment, utilizing examples.

Sexual harassment can be a subtle or direct requirement that a sexual or social relationship is part of your educational performance. For example, making any part of your educational performance (such as grades, honors, course work, or scholarships) contingent on submission to sexual behavior. Examples include:

1. Your faculty member promised to give you a better grade on an assignment if you share nude images of yourself with them.
2. Your faculty member threatens to give you a bad grade if you don't have sex with them.
3. Other students in your class make sexual jokes every day and you dread coming to class because you don't want to be exposed to the jokes.
4. A fellow student in your class or your faculty member touched your breasts or bottom without your consent.
5. Your faculty member makes jokes about private body parts and it makes you uncomfortable.
6. Your faculty member tells you that they can give you extra time in the research lab or an opportunity to an internship if you agree to let them watch you have sex with your partner.
7. Another student in your class spreads rumors about your sex life.
8. You discover that someone has been circulating nude images of you without your consent.
9. Any other act, that is sexual in nature, occurs in your educational environment, that is unwelcome and impacts your access to your education.

iv. SWIC's internal complaint process, including penalties.

The following items discuss SWIC's internal complaint process and are required under Illinois law. (The complete complaint process can be found on pages 8-22 of [the policy](#).)

1. Complainants should report allegations of sex-based harassment and discrimination to the Title IX Coordinator in accordance with the policy. Complaints alleging student violations of SWIC's policy shall have the opportunity to request that the complaint resolution procedure begin promptly and proceed in a timely manner.
2. SWIC has determined the individuals who will resolve complaints of alleged student violations of the comprehensive policy. These persons are chosen by case based on perceived or actual conflicts of interest.
3. All individuals whose duties include resolution of complaints of student violations of SWIC's policy have received a minimum of 8 to 10 hours of annual training on issues related to sexual violence, domestic violence, dating violence, and stalking and how to conduct the higher education institution's complaint resolution procedures, in addition to the annual training required for employees as provided in subsection (c) of Section 30 of the IL Preventing Sexual Violence in Higher Education Act.
4. SWIC has a sufficient number of individuals trained to resolve complaints so that (i) a substitution can occur in the case of a conflict of interest or recusal and (ii) an individual or individuals with no prior involvement in the initial determination or finding hear any appeal brought by a party.
5. SWIC uses the preponderance of the evidence standard to determine whether the alleged violation of the comprehensive policy occurred.
6. The complainant and respondent shall (i) receive notice of the individual or individuals with authority to make a finding or impose a sanction in their proceeding before the individual or individuals initiate contact with either party and (ii) have the opportunity to request a substitution if the participation of an individual with authority to make a finding or impose a sanction poses a conflict of interest.
7. SWIC has a procedure to determine interim protective measures and accommodations available pending the resolution of the complaint. Upon intake of the complaint, protective measures and accommodations are afforded to the Complainant. Once the respondent has been advised in writing of the formal complaint, accommodations are extended to the Respondent. Protective measures for both parties are continuously evaluated during the process until and even after resolution of the complaint occurs.

8. All proceedings, meetings, and/or hearings held to resolve complaints of alleged student violations of the comprehensive policy protect the privacy of the participating parties and witnesses.
9. The complainant, regardless of this person's level of involvement in the complaint resolution procedure, and the respondent shall have the opportunity to provide or present evidence and witnesses on their behalf during the complaint resolution procedure.
10. The complainant and the respondent may not directly cross examine one another, but may, at the discretion and direction of the individual or individuals resolving the complaint, suggest questions to be posed by the individual or individuals resolving the complaint and respond to the other party.
11. Both parties may request and must be allowed to have an advisor of their choice accompany them to any meeting or proceeding related to an alleged violation of the comprehensive policy, provided that the involvement of the advisor does not result in undue delay of the meeting or proceeding. The advisor must comply with any rules in the higher education institution's complaint resolution procedure regarding the advisor's role. If the advisor violates the rules or engages in behavior or advocacy that harasses, abuses, or intimidates either party, a witness, or an individual resolving the complaint, that advisor may be prohibited from further participation.
12. The complainant and the respondent may not be compelled to testify, if the complaint resolution procedure involves a hearing, in the presence of the other party. If a party invokes this right, the higher education institution shall provide a procedure by which each party can, at a minimum, hear the other party's testimony.
13. The complainant and the respondent are entitled to simultaneous, written notification of the results of the complaint resolution procedure, including information regarding appeal rights, within 7 days of a decision or sooner if required by State or federal law.
14. The complainant and the respondent shall, at a minimum, have the right to timely appeal the complaint resolution procedure's findings or imposed sanctions if the party alleges (i) a procedural error occurred, (ii) new information exists that would substantially change the outcome of the finding, (iii) the sanction is disproportionate with the violation or (iv) a conflict of interest or bias by a member of the Title IX team assigned to the complaint that would have changed the outcome. The individual or individuals reviewing the findings or imposed sanctions shall not have participated previously in the complaint resolution procedure and shall not have a conflict of interest with either party. The complainant and the respondent shall receive the appeal decision in writing within 7 days after the conclusion of the review of findings or sanctions or sooner if required by federal or State law.
15. The higher education institution shall not disclose the identity of the complainant or the respondent, except as necessary to resolve the complaint or to implement interim protective measures and accommodations or when provided by State or federal law.

Penalties:

The following are types of sanctions which may be imposed, individually or in various combinations, on any student found in violation of the policy:

- ❖ Disciplinary Reprimand: An oral conference that is documented or a written reprimand, both noting the seriousness of the violation of the Student Conduct Code
- ❖ Probation: A status for a specific period of time which places the student on notice that further misconduct may result in more serious penalty
- ❖ Social Probation: Probationary status that also restricts the student from specified activities, equipment, or facilities
- ❖ No Contact Order: May be issued to prohibit contacting (staying away from) the complainant, to include no physical or non-physical contact whether direct or indirect (including but not limited to, telephone calls, text messages, mail, email, faxes, written notes or through other electronic means [social media], or through third parties who may know or may not know about the restriction)

- ❖ Suspension: Involuntary separation from the college for a stated period of time or until stated conditions are met; days on suspension are unexcused absences from class
- ❖ Expulsion: Permanent removal from SWIC
- ❖ Assessment for Restitution: Payment for restoration of property or to resolve financial obligations to the college; failure to pay assessed amounts will prevent the student from obtaining records and registering for classes
- ❖ Educational Initiatives: Projects; participation in educational program; seminars; and other assignments as warranted

The following are types of disciplinary action may be imposed, individually or in various combinations, on any employee found in violation of the policy:

- ❖ Verbal Warning: An oral conference that is documented identifying the violation of the policy, the seriousness of the violation, and the expected behavior.
- ❖ Probation: A status for a specific period of time which places the employee on notice that further misconduct may result in more serious penalty.
- ❖ Written Warning: Specific documentation that identifies the violation of the policy, the seriousness of the violation, and the expected behavior to ensure there is no ambiguity or uncertainty about the rules or expectations.
- ❖ Paid Administrative Leave/Suspended With Pay: A specific paid time period in which the employee is not permitted to perform any duties or tasks on behalf of SWIC.
- ❖ Unpaid Administrative Leave/Suspended Without Pay: A specific unpaid time period in which the employee is not permitted to perform any duties or tasks on behalf of SWIC.
- ❖ Termination/Recommendation for Termination
- ❖ No Contact Order: May be issued to prohibit contact with (staying away from) the complainant, to include no physical or non-physical contact whether direct or indirect (including but not limited to, telephone calls, text messages, mail, email, faxes, written notes or through other electronic means [social media]), or through third parties who may know or may not know about the restriction.

v. Legal recourse, investigative and complaint process available through the Department of Human Rights and the Human Rights Commission.

People in Illinois are protected from unlawful acts of harassment and discrimination. There are three general categories of discrimination in the State of Illinois.

- ❖ **Disparate treatment:** This discrimination occurs when a person is treated less favorably than others because of their membership in a protected class.
- ❖ **Disparate impact:** This discrimination occurs when a policy or practice that is neutral on its face operates in a way that adversely impacts members of a protected class.
- ❖ **Harassment:** This discrimination involves a pattern of unwelcome conduct based on membership in a protected class. Harassment must be more than petty slights, annoyances, and isolated incidents. To be unlawful under the Act, the conduct must be severe or pervasive enough that a reasonable person would perceive it to be both subjectively and objectively offensive.

There is a law in Illinois that SWIC is subject to as a postsecondary institution called the Illinois Human Rights Act (the Act.) The Act prohibits discrimination against individuals in connection with employment, real estate transactions, access to credit, public accommodations, and education. There are two agencies that have authority with regard to the Act, the Department of Human Rights (the Department) and the Human Rights Commission (the Commission.) A person cannot initiate a charge

alleging violations of the Illinois Human Rights Act (the Act) through the Illinois Human Rights Commission (the Commission). **Instead, a charge must first be filed with the Illinois Department of Human Rights (the Department) which then investigates any alleged violations.** If a person has not yet filed a charge, the first contact should be with the Department.

The Act authorizes the Department and the Commission to play coordinated but separate roles in addressing violations of the Act. The Department is the investigatory agency that accepts or initiates charges alleging a violation of the Act and determines whether there is substantial evidence of a violation to warrant filing a complaint. The Commission is the adjudicatory agency that holds hearings and issues decisions on complaints filed with it. The Commission also decides requests for review of the Department's decision to dismiss a charge for lack of substantial evidence.

When proceeding before the Commission, you may hire an attorney or choose to represent yourself (also called "pro se," a Latin phrase meaning "for oneself"). Generally, judges hold self-represented litigants to the same standards of professional responsibility as trained attorneys. If you do not hire an attorney, you must become familiar with statutes, case law, and procedural rules that apply to your case. Representing yourself can be complicated, time consuming, and costly. For these reasons, you are strongly encouraged to obtain professional legal assistance from a licensed attorney.

There are no criminal penalties for violating the Act but can award monetary relief and non-monetary relief.

vi. Directions on how to contact the Department and Commission.

To file a complaint with the Illinois Department of Human Rights:

Sexual Harassment in Education: How to File a Charge + general information

You can find important information about sexual harassment in educational settings in Illinois, including details on types of discrimination covered, on IDHR's website at <https://dhr.illinois.gov/filing-a-charge/education.html>. **On that webpage, you can also download and complete a Complainant Information Sheet (CIS) - the best way to officially file a charge of discrimination with IDHR. Remember, you MUST file a complaint and it must be investigated before it can be heard by the Commission.**

To file a complaint with the State of Illinois Human Rights Commission (herein "the Commission"):

You can file documents with the Commission by email, mail, personal delivery, or fax. The Commission's Procedural Rules require that you file each document with a certificate of service so that the Commission has proof of how and when you gave a copy of the document to the other parties in your case. For your convenience, the Commission's website contains a [fillable "Certificate of Service" form](#).

This webpage houses all the forms you might need: <https://hrc.illinois.gov/forms.html>

Email documents as PDF files to HRC.News@illinois.gov.

Mail documents to the Commission's offices in Chicago or Springfield. For cases assigned to a Commission panel or cases assigned to an administrative law judge in the Chicago office:

Mail to:
Illinois Human Rights Commission
Michael J. Bilandic Building
160 N. LaSalle Street, Suite N-1000
Chicago, IL 60601

For cases assigned to an administrative law judge in the Springfield office:

Mail to:
Illinois Human Rights Commission
Jefferson Terrace
300 W. Jefferson Street, Suite 108
Springfield, IL 62702

The filing date for a mailed document is the date shown on the certificate of service that you must include with the document. If you mail a document without a certificate of service, the filing date is the postmark date.

You may personally deliver documents to the Commission's offices in Chicago or Springfield. The offices are open from 8:30 a.m. to 5:00 p.m. on Monday through Friday, excluding State holidays.

Fax documents to (312) 814-6517.

vii. Protection against retaliation as provided by Section 6-101 of the Illinois Human Rights Act (775 ILCS 5/2-105 (B)(5)).

It is unlawful to retaliate against someone for opposing a violation of the Act, participating in the Commission process, or asserting their rights under the Act.