

GOVERNORS STATE UNIVERSITY
ANTI -DISCRIMINATION, HARASSMENT, AND RETALIATION POLICY

I. Purpose of Policy

Governors State University (the “University”) is committed to maintaining a community in which students and employees can learn and work together in an atmosphere free from all forms of unlawful discrimination and harassment on the basis of an individual’s actual or perceived membership in one or more protected classes under state and federal law and/or retaliation. Such unlawful discrimination and harassment violate the dignity of the individual and the integrity of the University as an institution of higher learning and, thus, will not be tolerated. The University is committed to taking all appropriate steps to eliminate unlawful discrimination and harassment, prevent their recurrence, and address their effects. Further, the University is committed to preventing any and all unlawful retaliation against an individual exercising a lawful right and address the effects of any such unlawful retaliation in the event it does occur.

II. Scope of Policy

This Policy prohibits all forms of unlawful discrimination and harassment against students, employees, and applicants for admission or employment based on their actual or perceived membership in any one or more of the following protected classes:

- Age
- Ancestry
- Arrest Record Status
- Citizenship Status
- Color
- Disability (Physical or Mental)
- General Identity or Expression
- Marital or Civil Union Status
- Military or Veteran Status
- National Origin
- Order of Protection Status
- Pregnancy
- Race
- Religion
- Sex
- Sexual Orientation
- Unfavorable Discharge from Military Service

*Amended to match the substance of Governors State University Board of Trustees Regulations § II.A.20 as adopted by the GSU Board of Trustees on Dec. 10, 2021.

(each a “Protected Status”) including all Prohibited Conduct as defined below in Section III.A, below. It applies to all members of the University community, including students, faculty, staff, administrators, trustees, members, consultants, vendors, visitors, and others engaged in business with the University (the “GSU Community”). It applies to conduct on or off campus property that substantially interferes with the mission of the University, including but not limited to, interference with the safety and well-being of self or others and/or interference with the academic pursuits or employment environment of the University’s students or employees. This Policy does not replace federal and state mandated laws and regulations, and, where there is a conflict, the provisions of applicable law and regulations will govern.

III. University Prohibition of Unlawful Discrimination, Harassment, and Unlawful Retaliation

A. Prohibited Conduct

No person shall, on the basis of Protected Status, be subjected to unlawful discrimination or harassment under any academic, extracurricular, research, occupational training, employment program, or activity operated by the University, or in any other terms, conditions, or privileges of employment and education, including, but not limited to, in the following aspects of employment at the University:

- Recruitment and hiring;
- Job posting and advertisements;
- Promotion, transfer, layoff, recall, and renewal of employment;
- Assignment and classification;
- Testing;
- Selection for training or apprenticeship;
- Discharge;
- Discipline;
- Tenure;
- Compensation;
- Disability accommodations;
- Retirement plans, disability leave, and fringe benefits; and
- Use of University facilities and property;

and including, but not limited to, in the following aspects of education at the University:

- Application and admission to the University;
- Participation in University student programs and organizational activities;
- Treatment in the classroom;
- Course evaluation and grading;

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Adopted June 18, 1996
Amended October 15, 2010
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- d) “Race” means the physical characteristics commonly associated with a person’s race such as a person’s color, hair, facial features, height, weight, race-linked illnesses, and cultural characteristics related to race or ethnicity. *See EEOC Compliance Manual*, Doc. No. 915.003, at 15 (2006).
- e) 12.6oc. No. 915.003, at 15 (2006).

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government. A discrimination charge can be initiated by calling, writing, or appearing in person at the IDHR's Chicago or Springfield office within 300 days of the date the alleged discrimination took place, as described at:

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- f) Once the investigation report is shared with the parties, the General Counsel will refer the matter for a hearing and assign one or more appropriate decisionmakers to oversee the hearing process.
- g) At the hearing, the decisionmaker has the authority to hear and make determinations on all allegations of Prohibited Conduct and may also hear and make determinations on any additional alleged policy or regulation violations that have occurred in concert with the unlawful discrimination, harassment, and/or unlawful retaliation. First, the investigator will present a summary of the investigation report. Then, the parties and witnesses may provide relevant information in turn, beginning with the complainant.
- h) After the hearing is complete, the decisionmaker will issue a written determination regarding whether there are any violations. To reach this determination, the preponderance of evidence burden of proof must be applied.
- i) Where the decisionmaker finds that, by a preponderance of the evidence, this Policy was violated, the decisionmaker will confer with the Human Resources Department for appropriate discipline or sanction.
- j) Any party may file with the General Counsel a written request for appeal from the decisionmaker's responsibility determination within seven (7) days of delivery of the responsibility determination.

When a report/complaint of Prohibit Conduct involves a respondent who is a student, resolution of the report/complaint will be conducted in accordance with the procedures applicable to "Nonacademic Grievances" set forth in University Academic Policy 5 and in accordance with all applicable provisions of the Student Code of Conduct (University Academic Policy 4) and the Student Handbook.

D. Confidentiality

All reports of and investigations into incidents of Prohibited Conduct are treated as confidential to the greatest extent possible without compromising the investigative process, and disclosure of information is restricted to a need-to-know basis. However, the University cannot guarantee confidentiality in all matters, and the identity of the complaining party is usually revealed to the persons involved during the investigation (including the responding party and any witnesses).

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