



**IFN SEXUAL HARASSMENT & MISCONDUCT POLICY**

Islamic Foundation North (“IFN”) is committed to providing religious and educational services that is free from sexual harassment. Any behavior of an employee or volunteer (collectively known as “Employee”) that fits the definition of sexual harassment may result in disciplinary action up to and including dismissal. Sexual harassment could also subject IFN and, in some cases, an individual to substantial civil penalties. Sexual harassment in the workplace is against the law and our faith and will not be tolerated.

*You shall maintain CHASTITY, not committing adultery, nor taking secret lovers. Anyone who rejects faith, all his work will be in vain, and in the Hereafter, he will be with the losers [Quran 5:5]*

*Tell the believing men that they shall subdue their eyes (and not stare at the women), and to maintain their CHASTITY. This is purer for them. God is fully Cognizant of everything they do [Quran 24:30]*

*And tell the believing women to subdue their eyes, and maintain their CHASTITY [Quran 24:31]*

**Table of Contents**

IFN SEXUAL HARASSMENT & MISCONDUCT POLICY..... i

Costs of Sexual Harassment..... 1

Responsibility of IFN and Investigation Procedure..... 2

Responsibility of IFN Employees..... 3

IFN Members’ Rights and Responsibilities..... 3

Education and Awareness to Prevent Sexual Harassment..... 3

    Unwelcomeness: What does it mean?..... 3

    Retaliation..... 3

    Confidentiality..... 3

    Other Discriminatory Harassment..... 4

Mandated Reporting of Child Abuses Cases..... 4

Sexual Harassment is Illegal in Educational Settings..... 4

Protection against Retaliation..... 4

What to Do..... 5

Additional Resources..... 5



### **Costs of Sexual Harassment**

Sexual harassment is highly disruptive and unpleasant for all parties involved, and it is also very costly in many ways. Everyone in the workgroup feels its negative effects, and the immediate parties involved may suffer severe losses, including:

- Financial Losses
- Loss of Physical Health
- Loss of Emotional well-being
- Loss of Time and Productivity

IFN takes allegations of sexual harassment seriously and will take appropriate action to address. Sexual harassment, including sexual misconduct and sexual violence, is a form of unlawful gender discrimination which involves the conduct of a person of either sex, toward a person of the opposite sex or same sex, and occurs when such conduct consists of unwelcome sexual advances, unwelcome requests for sexual favors and other unwelcome verbal, nonverbal or physical behavior of a sexual nature. Sexual violence refers to physical acts perpetrated against a person's will or where a person is incapable of giving consent due to the person's use of drugs or alcohol or an intellectual or other disability. Sexual violence includes, but is not limited to, sexual assault, rape, sexual exploitation, intimate partner violence, and sexual coercion and stalking. All such acts of sexual violence are forms of sexual harassment prohibited under federal and state law.

Sexual harassment also includes gender-based harassment, which may include acts of verbal, nonverbal, or physical aggression, intimidation or hostility based on sex or sex-stereotyping, even if those acts do not involve conduct of a sexual nature.

The harasser can be any member of the governing bodies, committee leads, other members of IFN, an employee, supervisor, co-worker, other employee, volunteer or a non-employee who has a business relationship with the IFN.

IFN has designated a male and female coordinator to receive reports of sexual misconduct or harassment.

ANY INDIVIDUAL WHO HAS BEEN THE VICTIM OF A CRIME, SUCH AS SEXUAL ASSAULT OR OTHER FORM OF SEXUAL VIOLENCE, SHOULD CONTACT THE LOCAL POLICE DEPARTMENT OR CALL 911 IMMEDIATELY. Even if possible criminal conduct is reported to the police, IFN will still conduct an internal investigation to determine what occurred and take appropriate steps to assist the victim. IFN also reserves the right to investigate allegations of sexual misconduct or harassment in appropriate circumstances, even in the absence of an official report filed with IFN or with local law enforcement.

IFN will attempt to maintain the confidentiality and privacy of those involved in an investigation to the extent possible, within the requirements of conducting reasonable investigations. However, complete confidentiality cannot be guaranteed. Disclosure may be required by law or by the circumstances of the investigation.



### **Responsibility of IFN and Investigation Procedure**

The committee will act upon the various options available for resolution of the complaint. A thorough and impartial investigation of the incident will be completed as promptly as possible. The Ethics Committee will provide guidance for any incident reported as needed on investigating and handling the potential harassment. The Executive Committee and the Board of Trustees will take effective measures to ensure no further apparent or alleged harassment occurs pending completion of an investigation by the Ethics Committee.

The investigation generally will include interviews with the parties, interviews with any witnesses and a review of any relevant documents, including texts, emails and postings on social media. Disclosure of facts to parties and witnesses will be limited to what is reasonably necessary to conduct a fair and thorough investigation. All participants in the investigation are required to present truthful and accurate information. Knowingly making false statements or presenting inaccurate information is unacceptable and will result in separate disciplinary action regarding that conduct. The proceedings will be kept as informal and confidential as may be appropriate at any stage of the procedure.

Based on the results of the investigation, the complaint may be heard by a neutral hearing panel which will determine by a preponderance of the evidence whether or not there has been a violation of this policy. If a violation is found, the panel will make a recommendation as to the sanctions to be imposed. Possible sanctions and remedial actions include, but are not limited to:

- Participation in training or educational sessions on sexual misconduct, harassment and other forms of discrimination;
- A written warning placed in the violator's file;
- Reassignment of responsibilities, if practicable;
- Probation;
- Suspension;
- And Termination or dismissal.

The parties are both entitled to appeal the decision of the panel. The filing of a complaint which is later found to have been malicious, intentionally false or advanced in bad faith may subject the complainant to discipline. Anyone who believes that he or she has been the subject of a false complaint of sexual misconduct or harassment should meet with the Grievance Committee to discuss the allegations. Any claims not made in good faith -- can lead to serious discipline and legal and financial liability for the accuser.

This Sexual Misconduct and Harassment Policy does not preempt or supersede any legal procedures or remedies otherwise available to a victim of sexual misconduct, harassment or other discrimination under state or federal law. Alternately, or in addition to using IFN's internal procedures and/or reporting to local law enforcement, a student, volunteer or Employee has the right to file a complaint of sexual misconduct or harassment with federal and state agencies that investigate discrimination charges. An external complaint must be filed directly with the appropriate agency. The agency also should be consulted concerning time deadlines for filing.



### **Responsibility of IFN Employees**

Each individual employee has the responsibility to refrain from sexual harassment in the workplace. An individual employee who sexually harasses a fellow worker, volunteer, or student is, of course, liable for his or her individual conduct. The harassing Employee will be subject to disciplinary action up to and including discharge in accordance with IFN policy as appropriate.

### **IFN Members' Rights and Responsibilities**

IFN will not stand for the shaming of any member, student or Employee who believes he or she has been the target of sexual harassment. Members are encouraged to report the unwelcome conduct as soon as possible to coordinators.

### **Education and Awareness to Prevent Sexual Harassment**

#### **Unwelcomeness: What does it mean?**

*How can you know in advance if a behavior is unwelcome?*

Here are some general guidelines to avoid committing unwelcome behavior:

- Respect the people around you,
- Think before acting,
- Imagine how other people might be feeling,
- Be sensitive to diverse perspectives,
- Exercise common courtesy,
- Think twice before making any joke, and
- Backbiting and spreading rumors (Islamic Jurisdiction).

#### **Retaliation**

*Once sexual harassment has been reported, the member should not retaliate*

- Retaliation against a member after he or she has complained about harassment or participated in an investigation of harassment (or threatening to retaliate if he or she complains or participates in an investigation) is unlawful and can lead to serious consequences, including legal and financial liability.
- Once the allegation of potential sexual harassment is raised, all persons who have knowledge of the issue are on notice, and the IFN is responsible for ensuring that a proper investigation is undertaken and investigate all claims, including accusations that later turn out to be false.

#### **Confidentiality**

*If you report an incident of sexual harassment, or ask for help on a question of sexual harassment, you are entitled to confidentiality within certain limits*

- If you request confidentiality, you will be advised that IFN needs to conduct an investigation. Those involved will need to be interviewed. Confidentiality will be protected where possible. Some people may "need to know." In such cases these people will be asked to keep matters confidential where possible. If the issue later becomes a lawsuit, any request for confidentiality may not be able to be honored at that future time if personnel files are demanded, or if people are interviewed by attorneys. Otherwise, access to your files on the issue can and should be limited to a "need to know" basis.



### **Other Discriminatory Harassment**

The same general principles (such as Unwelcomeness, severity or pervasiveness, hostile environment) that you have learned constitute sexual harassment also apply to other forms of harassment

The standard for other discriminatory harassment is essentially the same as that for sexual harassment - the harassment must be offensive to a reasonable person in the position of the person being harassed, considering all of the circumstances including that person's protected characteristic (such as that person's race, color, religion, age, sex, national origin, or disability).

*NOTE: There is often confusion regarding harassment based on sex; such as pervasive "male bashing" or offensive but non-sexual comments regarding women. This type of harassment is equally prohibited by the Civil Rights Act of 1964.*

### **Mandated Reporting of Child Abuses Cases**

DEPARTMENT OF CHILDREN AND FAMILY SERVICES (DCFS) SYSTEM GUIDELINES, PROTOCOLS AND OPTIONS:

- DCFS has the primary responsibility of protecting children through the investigation of suspected abuse or neglect by parents and other caregivers in a position of trust or authority over the child.
- You can call the 24-hour Child Abuse Hotline at 800-25-ABUSE (800-252-2873 or TTY 1- 800-358-5117) if you suspect that a child or you (if you are under 18) has been harmed or is at risk of being harmed by abuse or neglect. If you believe a child or you (if you are under 18) are in immediate danger of harm, call 911 first. Your confidential call will not only make sure the child is safe, but also help provide the child's family the services they need to provide a safe, loving and nurturing home (As Quoted in CIOGC Sexual Harassment Policy).

### **Sexual Harassment is Illegal in Educational Settings**

Everyone has right to attend a religious institution free from sexual harassment. The Illinois Human Rights Act makes it unlawful for any religious or educational institution to sexually harass their members or students. This **ACT** specifically prohibits unwelcome advances or conduct of a sexual nature and requests for sexual favors from students by any teacher or any member of the administrative staff or the governing body of Islamic Foundation North.

Examples of Sexual Harassment in IFN Weekend School Setting:

- A teacher who continually makes jokes of a sexual nature in the classroom;
- A teacher or an administrative staff who promises a student a better grade if the student does not resist any inappropriate touching or sexual advances;

### **Protection against Retaliation**

It is unlawful for a teacher or any administrative staff of the Weekend Islamic School of IFN to retaliate against any student because the student reported sexual harassment.

**What to Do**

Any student who believes he or she is being subjugated to sexual harassment or retaliated against should contact the Illinois Department of Human Rights for further information or to file a charge. A student may obtain a copy of the Islamic Foundation North's internal sexual harassment policy by contacting the President of IFN.

If the sexual conduct is criminal in nature, students should also report the incident to the local law enforcement agency.

**For Immediate Help Call 312-814-6200 Illinois Department of Human Rights, State of Illinois – Department of Human Rights.**

**Additional Resources****Administrative contacts at the State Department and the Commission Illinois Department of Human Rights (IDHR)**

Chicago: 312-814-6200 or 800-662-3942

Chicago TTY: 866-740-3953

Springfield: 217-785-5100 Springfield TTY: 866-740-3953

Marion: 618-993-7463 Marion TTY: 866-740-3953

**Illinois Human Rights Commission (IHRC)**