

AN ACT concerning human rights.

**Be it enacted by the People of the State of Illinois,
represented in the General Assembly:**

Section 5. The Illinois Human Rights Act is amended by changing Section 5A-102 and by adding Section 5A-101.1 as follows:

(775 ILCS 5/5A-101.1 new)

Sec. 5A-101.1. Notice.

(A) Every institution of higher education covered by this Act shall post in a prominent and accessible location a poster stating sexual harassment laws and policies. The poster shall be (i) posted and kept posted at each campus in common area positions easily accessible to all students including, but not limited to residence halls, administration buildings, student unions, cafeterias, and libraries or (ii) posted annually at each campus in common area positions easily accessible to all students including, but not limited to, residence halls, administration buildings, student unions, cafeterias, and libraries, with an electronic copy of the sexual harassment laws and policies also sent to each student at the time that registration materials are emailed or (iii) on campuses that provide for online registration of student classes, such information pertaining to sexual harassment laws and policies

may be incorporated into the registration process so that students must review the policies and laws and acknowledge such review, prior to being allowed to register. Documents to be posted shall be retrieved from the Illinois Department of Human Rights website to satisfy posting requirements. Posting of the posters shall be effectuated within 90 days of the effective date of this amendatory Act of the 96th General Assembly and shall occur annually thereafter.

(B) The posted sexual harassment poster shall include, at a minimum, the following information: (i) the illegality of sexual harassment in higher education; (ii) the definition of sexual harassment under State law; (iii) a description of sexual harassment, utilizing examples; (iv) the institution's internal complaint process including penalties; (v) the legal recourse, investigative and complaint process available through the Department of Human Rights; (vi) directions on how to contact the Department; and (vii) protection against retaliation as provided by Section 6-101 of this Act.

(C) Upon notification of a failure to post, the Department of Human Rights may launch a preliminary investigation. If the Department finds a failure to post, the Department may issue a notice to show cause giving the institution 30 days to correct the failure to post. If the failure to post is not corrected, the Department may initiate a charge of a civil rights violation.

(775 ILCS 5/5A-102) (from Ch. 68, par. 5A-102)

Sec. 5A-102. Civil Rights Violations-Higher Education. It is a civil rights violation:

(A) Higher Education Representative. For any higher education representative to commit or engage in sexual harassment in higher education.

(B) Institution of Higher Education. For any institution of higher education to fail to take remedial action, or to fail to take appropriate disciplinary action against a higher education representative employed by such institution, when such institution knows that such higher education representative was committing or engaging in or committed or engaged in sexual harassment in higher education.

(Source: P.A. 83-91.)

Section 99. Effective date. This Act takes effect August 1, 2009.