

1 AN ACT concerning human rights.

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

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

7 (775 ILCS 5/5A-101.1 new)

8 Sec. 5A-101.1. Notice.

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

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

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

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

1 (775 ILCS 5/5A-102) (from Ch. 68, par. 5A-102)

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

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

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

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

15 Section 99. Effective date. This Act takes effect August 1,  
16 2009.