

BERKELEY PARK DISTRICT BOARD POLICY MANUAL

***Approved by the Berkeley Park District Board of Commissioners on
October 4, 2023***

1.0 Introduction

The Berkeley Park District is a unit of local government created by state authority for the purpose of acquiring and maintaining parks, and is separate and distinct from the city, county, or any other body politic. It is the local legislative body entrusted and empowered to exercise all the delegated authority it deems essential for successful planning, operation and improvement of the parks and recreation programs within the District.

The Board has assembled the Board of Park Commissioners Administrative and Procedures Policy Manual (Manual) to provide a reliable and quick reference to existing policies and administrative procedures. This Manual is not intended to be comprehensive in nature; the Board maintains policies, rules, regulations, and guidelines in addition to those set forth in this Manual. Nor is this Manual intended to be rigid and binding on all matters it addresses. Rather, the provisions of this Manual are an expression of the Board's desire to establish basic standards for appropriate decision-making, protocol and conduct in the service of the public. Through its use of this Manual, the Board seeks to better ensure open, ethical, accountable, efficient and effective representation.

Should any conflict arise between any provision of the policies and procedures in this Manual and any federal or state constitution, statute, ordinance, code, rule, regulation, or other enactment (collectively, "federal or state law"), the provision of the federal or state law shall govern and control.

From time to time, the Board may repeal, amend, or supplement any of the policies set forth in this Manual as required by changes in federal or state law, as deemed desirable due to changes in economic or social conditions, and for other reasons the Board deems appropriate.

1.1 Purpose

This policy manual is intended to establish, and/or describe existing policies/procedures as they apply to the Berkeley Board of Park Commissioners.

1.2 Statutory Authority

A park district is purely a creation of the legislature, and has no inherent powers, but only such powers as have been granted to it by the legislature, or as are necessarily implied to give effect to the powers specifically granted.

The district is governed by numerous statutes of the State of Illinois. (Ill. Comp. Stats.). However, the principle statutory authority is the Illinois Park District Code (70 ILCS 1205/1-1, et seq.), which is codification of the general law relating to park districts in Illinois. References and excerpts from the Park District Code and other related laws are made in this manual.

1.3 Legal Authority

In particular, the legal authority of Board is (70 ILCS 1205/1-1 (d)) of the Code, which reads as follows: (d) To pass all necessary ordinances, rules and regulations for the proper management and conduct of the business of the board and district and to establish by ordinances all needful rules and regulation for the government and protection of parks, boulevards and driveways and other property under it jurisdictions, and to effect the objects for which districts are formed."

The statutes of the State of Illinois or any other final court decision that conflicts with the provisions of the policy manual shall supersede the provisions of this policy manual.

1.4 Definitions

For the purpose of the policy manual, the following terms shall have the definitions given herein:

1. "District" is the Berkeley Park District, Cook County, Illinois.
2. "Board" is the Board of Commissioners of the Berkeley Park District.
3. "Code" is "The Park District Code," (70 ILCS 1205/1-1) approved July 8, 1947, as amended.

For the purpose of this manual, words in the masculine gender shall include the female gender and words in the singular number shall include the plural number and vice-versa, and words in the present tense shall include the future tense.

1.5 Revisions

The Board may periodically review the policies contained in this manual and revise or amend them from time to time as they deem appropriate at a regular meeting of the Board by a majority of members, except whereby law or the provisions of the manual itself, a vote greater than a simple majority is required.

1.6 Severability

In any policy or part thereof contained in the policy manual shall be determined invalid in a court of law, such determination shall not affect the validity of the remaining policies or parts thereof.

2.0 Board and Administration

2.1 Governance

The duty of the Board is to approve basic policy for the operation, control, improvement and planning, present and future, of park and recreation facilities and activities within the District. Specifically included are the following:

1. To select an Executive Director of Parks and Recreation as chief administrative officer and professional advisor and properly delegate to him the authority and responsibility to execute its policies, enforce its rules and regulations, and administer the parks and recreation facilities, programs, and services.
2. To provide for the levy of taxes in order that funds may be available for the maintenance of the parks and operation of recreation facilities, programs, and services.
3. To adopt a park and recreation appropriation in order so that the best possible facilities, programs, and services may be provided.
4. To develop policies, rules and regulations in accordance with the law that aid the District in operating efficiently, effectively, legally and ethically and that protect the District's assets and that reasonably ensure effective stewardship and management of the District's human, physical and financial resources.
5. To assume responsibility for keeping the public informed concerning the purposes, achievements, requirements, and financial condition of their parks, recreational facilities, and programs.
6. To adopt ordinances which it deems are necessary or appropriate to exercise the powers of the Park District provided by law, including but not limited to those necessary or desirable to manage and control all officers and property of the District.
7. To set a strategic direction that adopts goals relating to the District's Mission and Vision.
8. To stay informed about pending legislation that is of interest to the District. When appropriate, the Board shall encourage its members to contact county, state, and federal elected representatives to advocate the best interests of the District.

2.2 Number

The Board shall be comprised of five (5) commissioners.

2.3 Term of Office

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Each term of office for a Commissioner shall be for (4) years. Terms are designated to expire on a staggered system. Commissioners shall serve until their successors are duly elected, qualified, and have taken the oath of office.

2.4 Inauguration

1. Newly elected or Re-elected Commissioners

- a. Newly elected or Re-elected Commissioners shall be inaugurated at the next regularly scheduled Board meeting, at this time, the “old” Board shall meet, conduct any unfinished business, and then adjourn. The Secretary of the District shall then swear in the newly elected Commissioners and the new Board shall then reconvene the meeting.

2. Appointed Commissioners

- a. Newly appointed Commissioners shall be sworn in at the first regular Board meeting following their appointment.

2.5 Oath of Office

All elected and appointed Board members, before entering upon the duties of office, shall take and subscribe to the Oath of Office.

2.6 Qualifications

Any person who is a legal voter and who has lived within the district for at least one year is qualified to be a candidate for the Office of Commissioner.

2.7 Nomination

1. A candidate for the Office of Commissioner must file a nominating petition with the Secretary of the District, signed by qualified voters of the District, equal in number to not less than 2% of the number who voted at the last preceding election for Commissioners in the District, but in no case by less than 25 registered voters.
2. The Board authorizes the Executive Director to prepare a candidate information packet for distribution on or before the first day a candidate can seek nominating petitions. The Secretary of the District shall make available nominating petition forms and the required number of signatures to any prospective candidates for the office of Commissioner and shall publicize the first and last day for filing such nominating petitions well in advance of those dates. All information provided to prospective candidates are provided as a courtesy. The Park District disclaims any responsibility for any information provided to candidates. Specific questions about legislative filing requirements and candidate eligibility should be referred to candidate legal counsel.

2.8 Elections

Commissioners shall be elected biennially to take the place of those whose terms expire. (Ill. Comp. Stat.) Such elections shall take place at the election provided for the general election law. (10 ILCS 5/1-1)

2.9 Vacancies in Office

Whenever any member of the governing board of the Park District dies, resigns, becomes under legal disability (such that said Commissioner becomes unable to fulfill the duties of Commissioner), ceases to be a legal voter in the District, is convicted of any infamous crime, refuses or neglects the oath of office, neglects to perform the duties of the office or attend meetings of the Board for the length of time as the Board as fixed by Ordinance 18-6-1, or for any other reason specified by law, that office may be declared vacant. Vacancies shall be filled by appointment by a majority of the remaining members of the Board. Any person so appointed shall hold office until the next regular election for this office, at which time a member shall be elected to fill the vacancy for the unexpired term, subject to the following conditions:

1. If the vacancy occurs with less than 28 months remaining in the term, the person appointed to fill the vacancy shall hold office until the expiration of the term for which the individual has been appointed, and no election to fill the vacancy shall be held.
2. If the vacancy occurs with more than 28 months left in the term but less than 123 days before the next regularly scheduled elections for this office, the person appointed to fill the vacancy shall hold office until the second regularly scheduled election for the office following the appointment, at which time a member shall be elected to fill the vacancy for the unexpired term. (70 ILCS 1205/2-25)

2.10 Compensation

In accordance with statute, the Board serves without compensation. (70 ILCS 1205/4-1).

2.11 New Board Member Orientation

The chief executive or designee should provide a newly elected or appointed park board member with a copy of The Park District Code, The Handbook on Illinois Park District Law, Financial Procedures for Illinois Park Districts, the park district Board Policy Manual (*when approved*) and the minutes of the park board meetings for the past six months. Additional materials explaining the powers and duties of the park district board and the operations of the park district can also be provided by the Illinois Association of Park Districts.

As soon as practical after the new Board member assumes office, a meeting of the park district Board president, the director, and the new members shall be arranged for the purpose of answering questions and acquainting the new members with the park district (in compliance with Open Meetings Act requirements). In addition to the director, other staff or park district officers may attend to provide specific information related to their area of expertise (legal support, risk management, treasurer, secretary). Board members should become more aware of board philosophy and practices. They should review, as a board, what members – including the new member – should expect of each other.

New members will be encouraged to attend workshops conducted by the Illinois Association of Park Districts. Each Commissioner must complete the Illinois Open Meetings Act electronic training provided by the Illinois Attorney General Access Counselor's Office in accordance with the Open Meetings Act or an equivalent training offered by the Illinois Association of Park Districts.

2.12 Travel and Expenses

Authorized travel or other expenses incurred by the Board and which are related to and pre-approved by the District shall be reimbursed upon documentation of such expenses in accordance with following policy:

1. Only those expenses necessary for training, development and other reasonable expenses are reimbursable.
2. In conjunction with the preparation of the Budget and Appropriation Ordinance of the District for each fiscal year, the Board will determine the aggregate amount of funds to be made available for Commissioner attendance at workshops and conferences.
3. Prior to each approved workshop/conference, the Board will designate those Commissioners who will attend.
4. The Board shall designate approved meetings which may include but are not limited to the following:
 - a. Workshops/conferences sponsored by the Illinois Association of Park Districts which include Commissioner education sessions.
 - b. Workshops/conferences sponsored by the Illinois Park and Recreation Association which include Commissioner education sessions.
 - c. Workshops/conferences sponsored by IPARKS which include Commissioner education sessions.
 - d. Workshops/conferences sponsored by the National Recreation and Park Association which include Commissioner education sessions.
5. The Park District staff shall make all reservations including travel, hotel and conference registration.
6. The Park District will issue per diem in accordance with IRS regulations on any trip which involves at least one overnight accommodation. Per diem is to be used for:
 - a. Meals not covered by conference registration.
 - b. All travel not covered.
 - c. Entertainment expenses "Directly related to" Park District business.
7. If a delegate indicates an intention to attend an approved meeting and subsequently notifies the District of an intention not to attend such meeting, or fails to attend such meeting, for reasons other than illness or emergency, the delegate shall reimburse the District in full for all expenses incurred or monies advanced by the District on behalf of the delegate in connection with such meeting, within thirty (30) days after written request made by the District.
8. Delegates shall report on educational sessions attended at approved meetings, which shall contain a brief description of the subject matter and recommendations or ideas pertinent to the District, if any.
9. Use of personal vehicles for District business shall be reimbursed at the current IRS standard mileage rate.
10. Expenses by family members accompanying a commissioner are not reimbursable.

11. All expenses charged against the Board's budget allotment must be in compliance with and follow the required procedures as outlined in the District's current financial policies.

2.13 Community Relations Activities

The Board encourages its members to participate in a variety of community relations activities. Participation in community activities by the Board demonstrates support and interest in the community at large. With approval in advance, Board members may be reimbursed for usual and customary expenses incurred.

3.0 Use of Park District Programs, Facilities and Equipment

3.1 Recreation Programs/Group Lessons

Board members and immediate family members (spouse, civil union partner, dependent children living at home) will be allowed to enroll in recreation programs or group lessons at a reduced rate or at no charge subject to the following conditions:

1. Board members or immediate family members are not eligible to register for any resident lottery for recreation programs without complying with all requirements, regulations, rules, and fees.
2. The Board member or immediate family pays the Park District for any out-of-pocket expense in connection with attendance in the program or lesson including costumes, uniforms, props, personal equipment of any type, ticket prices, or entry fees.
3. Board members will be charged the “per diem” rate for any specialized or contractual program or service. In some cases, the per service/program fee may be discounted for Board members. This includes and is not limited to:
 - a. Personal training services
 - b. Private swim lessons
 - c. Consulting services (diet, weight management, etc.)
 - d. Private or semi-private lessons of any type

3.2 Use of Park District Property & Equipment

No elected official may use Park District property for personal use without proper authorization. Park district property may be released for personal use with prior written authorization of the Executive Director.

For the purpose of this section, Park District property includes but is not limited to buildings, facilities, grounds, tools, implements, building materials, electronic equipment, recreation and rental equipment, and park district supplies. Because safety and liability is a chief concern, it is expected that Park District property used is operated in a fashion consistent with the Park District and manufacturer’s established safety protocols. The use of some Park District resources may require permits, waivers and releases. The Board member will be responsible for the full cost of repair or replacement of Park District property.

Upon termination of the Board member’s status as Commissioner, the Board member must return all park district proper, equipment, keys, computers, and documents in their possession or control.

3.3 Procedures

Commissioners should contact the Director regarding the use of Park District programs, facilities, and programs. The availability of these benefits expires when a Board member leaves the Board.

3.4 Facility Rentals

Current Board members will be allowed to rent Park District facilities once per year, at no charge beyond any direct cost (i.e., custodian, building attendant). If a rental is desired, the Commissioner will contact the Director with to complete a request for rental. Commissioners may only reserve a facility within 30 days prior to the rental date. Commissioners and/or their immediate family member must be at the facility during the rental. All park district rules and regulations are in force.

Commissioners may not rent facilities for extended family members, friends, or organizations.

4.0 Ethics and Conduct

Board members are expected to be of high moral and ethical character and work together as a team to serve the community by delivering top quality park and recreation opportunities. Each Board member is expected to act in the best interests of the District and be free of outside influence and self-interests. In accordance with this policy, Board members will educate themselves about and comply with all other federal, state, and local laws, regulations, and ordinances applicable to the conduct of the Park District's elected officials. These include but are not limited to, the Open Meetings Act, the Public Officials Prohibited Activities Act, the Public Officer Prohibited Activities Act, the Government Ethics Act, the official misconduct and public contracts provisions of the Illinois Criminal Code, the Illinois Human Rights Act, and the District's own Ethics Ordinance.

4.1 Ethics Act

Commissioners must file a Statement of Economic Interest pursuant to the Illinois Government Ethics Act, with the County Clerk of Cook County. (5ILCS 420/1-101, et. Seq.).

4.2 Legal Authority

The Board, as a whole, is the legal corporate authority of the District. As an individual, a Board member has no legal authority to determine policy, give directions to District personnel, or act or speak for the Board unless specifically authorized to do so by official Board action.

4.3 Representation

Board members represent all the residents of the District and should avoid representing special interest groups. Board members should also avoid making public promises or statements regarding their votes or position on an issue prior to an official meeting.

4.4 Board Decisions

Board members should make non-partisan decisions regarding District policies and operations based upon reports facts, and study and not upon personal interest or prejudice.

4.5 Board Unity

Board members should accept and endorse majority decisions of the Board and align themselves with Board policies, goals and objectives.

4.6 Relationship to the Executive Director

Board members shall honor and respect the delegation of authority and responsibility to the Executive Director. Board members should work with the Executive Director rather than staff and should not involve themselves in the day-to-day operations of the District. Requests for information concerning District operations and programs shall be directed to the Executive Director. Suggestions for new policies shall be referred to the Executive Director for study, appraisal, and final recommendation. Complaints shall be turned over to the Executive Director for investigation and disposition or for Director recommendation as to disposition by the Board.

4.7 Indemnification

Board members shall be indemnified against claims and actions and shall be insured against any liability asserted against them because of their position as members of the Board.

4.8 Prohibited Political Activities

1. No officer or employee shall intentionally perform any prohibited political activity during any compensated time, as defined herein. No officer or employee shall intentionally use any property or resources of the Berkeley District in connection with any prohibited political activity.
2. At no time shall any officer or employee intentionally require any other officer or employee to perform any prohibited political activity (i) as part of that officer or employee's duties, (ii) as a condition of employment, or (iii) during any compensated time off (such as holidays, vacation, or personal time off).
3. No officer or employee shall be required at any time to participate in any prohibited political activity in consideration for that officer or employee being awarded additional compensation or any benefit, whether in the form of a salary adjustment, bonus, compensatory time off, continued employment or otherwise, nor shall any officer or employee be awarded additional compensation or any benefit in consideration for participation in any prohibited political activity.
4. Nothing in this section prohibits activities that are permissible for an officer or employee to engage in as part of their official duties, or activities that are undertaken by an officer or employee on a voluntary basis which are not prohibited by this ordinance.
5. No person either (i) in a position that is subject to recognized merit principles of public employment or (ii) in a position the salary for which is paid in whole or in part by federal funds and that is subject to the Federal Standards for a Merit System of Personnel Administration applicable to grant-in-aid programs, shall be denied or deprived of employment or tenure solely because he is a member or an officer of a political committee, of a political party, or of a political organization or club.

4.9 Types of Prohibited Political Activities

1. Preparing for, organizing, or participating in any political meeting, political rally, political demonstration, or other political event.
2. Soliciting contributions, including but not limited to the purchase of, selling, distributing, or receiving payment for tickets for any political fundraiser, political meeting, or other political event.
3. Soliciting, planning the solicitation of, or preparing any document or report regarding anything of value intended as a campaign contribution.
4. Planning, conducting, or participating in a public opinion poll in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.
5. Surveying or gathering information from potential or actual voters in an election to determine probable vote outcome in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.

6. Assisting at the polls on Election Day on behalf of any political organization or candidate for elective office or for or against any referendum question.
7. Soliciting votes on behalf of a candidate for elective office or a political organization or for or against any referendum question or helping to get voters to the polls.
8. Initiating circulation, preparing, circulating, reviewing, or filing any petition on behalf of a candidate for elective office or for or against any referendum question.
9. Making contributions on behalf of any candidate for elective office in that capacity or in connection with a campaign for elective office.
10. Preparing or reviewing responses to candidate questionnaires.
11. Distributing, preparing for distribution, or mailing campaign literature, campaign signs, or other campaign material on behalf of any candidate for elective office or for or against any referendum question.
12. Campaigning for any elective office or for or against any referendum question.
13. Managing or working on a campaign for elective office or for or against any referendum question.
14. Serving as a delegate, alternate, or proxy to a political party convention.
15. Participating in any recount or challenge to the outcome of any election. "Prohibited source" means any person or entity who:
 - a. is seeking official action (i) by an officer or (ii) by an employee, or by the officer or another employee directing that employee.
 - b. does business or seeks to do business (i) with the officer or (ii) with an employee, or with the officer or another employee directing that employee.
 - c. conducts activities regulated (i) by the officer or (ii) by an employee, or by the officer or another employee directing that employee; or
 - d. has interests that may be substantially affected by the performance or nonperformance of the official duties of the officer or employee.

4.10 Gift Ban

Except as permitted by this Article, no officer or employee, and no spouse of or immediate family member living with any officer or employee (collectively referred to herein as "recipients"), shall intentionally solicit or accept any gift from any prohibited source, as defined herein, or which is otherwise prohibited by law or ordinance. No prohibited source shall intentionally offer or make a gift that violates this Section. An exception to the above is not applicable to the following:

1. Opportunities, benefits, and services that are available on the same conditions as for the general public.
2. Anything for which the officer or employee, the spouse of the employee, or immediate family member, pays the fair market value.

3. Any (i) contribution that is lawfully made under the Election Code or (ii) activities associated with a fundraising event in support of a political organization or candidate.
4. Educational materials and missions.
5. Travel expenses for a meeting to discuss business.
6. A gift from a relative, meaning those people related to the individual as father, mother, son, daughter, brother, sister, uncle, aunt, great aunt, great uncle, first cousin, nephew, niece, husband, wife, grandfather, grandmother, grandson, granddaughter, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, half-sister, and including the father, mother, grandfather, or grandmother of the individual's spouse and the individual's fiancé or fiancée.
7. Anything provided by an individual based on a personal friendship unless the recipient has reason to believe that, under the circumstances, the gift was provided because of the official position or employment of the recipient or spouse or immediate family member and not because of the personal friendship. In determining whether a gift is provided on the basis of personal friendship, the recipient shall consider the circumstances under which the gift was offered, such as: (i) the history of the relationship between the individual giving the gift and the recipient of the gift, including any previous exchange of gifts between those individuals; (ii) whether to the actual knowledge of the recipient the individual who gave the gift personally paid for the gift or sought a tax deduction or business reimbursement for the gift; and (iii) whether to the actual knowledge of the recipient the individual who gave the gift also at the same time gave the same or similar gifts to other officers or employees, or their spouses or immediate family members.
8. Food or refreshments not exceeding \$75 per person in value on a single calendar day; provided that the food or refreshments are (i) consumed on the premises from which they were purchased or prepared or (ii) catered. For the purposes of this Section, "catered" means food or refreshments that are purchased ready to consume which are delivered by any means.
9. Food, refreshments, lodging, transportation, and other benefits resulting from outside business or employment activities (or outside activities that are not connected to the official duties of an officer or employee) if the benefits have not been offered or enhanced because of the official position or employment of the officer or employee and are customarily provided to others in similar circumstances.
10. Intra-governmental and inter-governmental gifts. For this Act, "intra-governmental gift" means any gift given to an officer or employee from another officer or employee, and "inter-governmental gift" means any gift given to an officer or employee by an officer or employee of another governmental entity.
11. Bequests, inheritances, and other transfers at death.
12. Any item or items from any one prohibited source during any calendar year having a cumulative total value of less than \$100

4.11 Conflicts of Interest

The Board of Park Commissioners recognizes that the Berkeley Park District's success and reputation is dependent upon and entrusted to the honesty, integrity, and ethical standards of its Board members'. Each action taken by a Board member in the course of their duties will be motivated by the District's best interests and will be free of outside influence and self-interests. In addition, Board members shall not in any way be directly or indirectly vested in any aspect of the District's operations. The determination of an act of conflict of interests and the action taken to impose a penalty will be the responsibility of the Board for one of their members as well as the Executive Director, and the Executive Director for one of the staff members.

In accordance with this policy, Board and staff members will comply with the following:

1. Board members must disclose all memberships or financial interest in companies or organizations doing business with the District.
2. Board members must abstain from voting on any action in which they have a financial interest.
3. Board members will file a Statement of Economic Interest annually with the county with a copy retained by the Board Secretary.
4. Board members will not accept any remuneration in money or services from any vendor or organization doing business with the District.

4.12 Non-Discrimination and Anti-Harassment Policy (see Attachment A)

The Park District is committed to a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that prohibits discriminatory practices, including harassment. Therefore, the Park District expects that all relationships among persons in the workplace will be business-like and free of bias, prejudice, and harassment.

It is the responsibility of each and every employee, intern, officer, official, park commissioner, agent, volunteer, and vendor of the Park District as well as anyone using the Park District's facilities, to refrain from sexual and other harassment. The Park District will not tolerate sexual or any other type of harassment of or by any of its employees, elected officials, and others. Actions, word, jokes, or comments based on the individual's gender, race, color, national origin, age, religion, disability, sexual orientation, civil union partnership, or any other legal protected characteristic will not be tolerated.

A complete policy on Non-Discrimination and Anti-Harassment is found as Appendix A of the Board Policy Manual. This policy will also be found in the Administrative Policy Manual and Personnel Policy Manual when those manuals are completed and ratified.

5.0 Primary Functions of the Board

Although the Board is empowered to make all decisions affecting the operations of the district, it shall normally exercise its power by establishing policy and reviewing the implementation of policy by its officers and employees. In addition, the Board shall perform the following specific functions:

5.1 Tax Levy

Provide for the levy of taxes pursuant to the authority granted by State Statute. Such levies shall provide for the generation of sufficient revenue to pay the cost of the district's operation.

5.2 Use of Funds

Decide upon the use of funds generated by revenue-producing facilities after operational and maintenance costs are paid.

5.3 Make Adjustments

Enact periodic adjustments in the operational policies of said revenue facilities.

5.4 Hire an Executive Director or Director of Parks and Recreation

Employ a Chief Administrative Officer that follows the direction of the Board and executes a strategy providing leisure services to the community. The Board also has the responsibility to train and evaluate the Director and if necessary, to discipline and terminate the Director.

5.5 Policies

1. Adopt and periodically review a set of rules and regulations affecting all personnel in a document known as the Personnel Policy of the Berkeley Park District.
2. To study, develop and adopt policies that will satisfy the park and recreation needs of the community and to see that such policies are effectively administered.

5.6 Evaluation, Goals and Objectives

To appraise and evaluate the District's recreation programs, the physical conditions of the buildings and grounds, the efficiency of the personnel, and to establish goals and objectives for recreational programs, land development, capital expenditures, and operations.

5.7 Monitor Operations

Monitor the operational procedures of the District and make additions or alterations to improve procedures at regular Board Meetings. The individual Board members shall keep themselves informed of the activities and functions of the District by observation, comments from its citizenry, continuing education, and reports presented by the staff of the District. The Board as a whole shall act decisively in the best interest of the District.

5.8 Philosophy

Establish the operational philosophy of recreation programming for the district and set fees and charges to be approved at regular Board Meetings

5.9 Development

Develop a well-rounded and broadly-based park system that recognizes the diverse needs and interests of the community.

6.0 Officers of the Board

The officers of the Board shall be President, Vice President, Secretary, and Treasurer and other officers as may be chosen by the Board. (70 ILCS 1205/4-8)

1. The officers of the Board shall be chosen at the annual meeting by the Board or as soon thereafter as possible. Each officer shall hold office until the next annual meeting or until a successor is duly chosen and has qualified, until death, or until resignation as such officer, or until the officer have been removed in the manner provided in the "Park District Code". Vacancies created in any office by the removal of an officer, or the creation of a new office may be filled by the Board at any of its meetings. In the case of a temporary absence or the temporary inability of the officer to act as such, the Board may temporarily fill the office.
2. Before entering their respective duties, all officers may be required to be bonded, and with such conditions and security as may be determined by the Board.

6.1 President

The President shall preside at all meetings of the Board and shall call special meetings thereof on the President's own motion or on request of two or more of the members, and in the case of a special meeting shall cause notice to be given to all members as provided. The President shall have the right to vote upon all questions coming before the Board and shall be a member thereof. The President shall be the executive officer of the Board, The President shall sign all documents authorized by the Board in its name and on its behalf and shall see that all ordinances of the Board are enforced. The President shall also perform such other duties of the office according to State Statutes and the direction and approval of the Board.

6.2 Vice President

The Vice President, in the absence of the President, or in the event of the President's refusal or inability to act, shall be vested with the powers to perform the duties of the President.

6.3 Appointed Personnel

The Board shall appoint a Secretary, Treasurer, Attorney, and Executive Director. The Board may also choose to appoint an Auditor. The Board will also prescribe the duties of the appointed personnel and establish the term of appointment. The Secretary and Treasurer need not be Board Members, in which case the Board may fix their compensation (70 ILCS 1205/4-8)

1. The Board shall annually appoint an Executive Director and an attorney in the manner provided for officers herein and may further employ such other personnel from time to time, as may be required or desirable, defining and prescribing their respective duties and compensation. Such duties and compensation shall be reviewed by the Board prior to the annual meeting. The Board may also retain consultants and other independent contractors from time to time, as may be required or deemed desirable, defining their duties, services, and compensation.
2. Any officers or employee chosen or employed by the Board may be removed by the Board whenever in its judgment the best interests of the government of the District would be served.
3. Secretary

The Secretary shall have the custody of the Corporate Seal and all the books and records pertaining to the Secretary's Office, shall attest and affix the Corporate Seal to all instruments requiring such action when authorized by ordinance or vote of the Board; and shall cause all ordinances, resolutions, and other actions of the Board requiring filing and/or publication, to be duly published. The Secretary shall give notice of and attend all meetings of the Board and keep full and true record of its proceedings. The Secretary shall have the power to administer oaths and affirmations. The Secretary shall perform all duties pursuant to state law and accept all other duties prescribed by the Board. The Secretary need not be a member of the Board, and may be a paid employee, and shall act under the general supervision of the President and the Board.

4. Treasurer

The Treasurer shall be appointed by the Board President and shall review all financial statements and detailed information as prepared by the Executive Director and accountant. Acting under the supervision of the Board, the Treasurer has charge of the District's bookkeeping and system of accounts. He furnishes information to any commissioner or officer, requested by same, regarding any matter relating to this office, including copies of records of receipts and disbursements, statements of account, audits and other record of the District under the Treasurer's control or supervision. The Treasurer need not be a member of the Board, but may be a paid employee, in which case the Board may fix compensation for the position. The Treasurer will be the legal signatory on bonds and other legal documents as approved by the Board of Commissioners.

5. Executive Director (Chief Administrative Officer)

The Executive Director shall always be subject to and act in accordance with the policies and directions of the Board. The Executive Director is the Chief Administrative Official of the District and shall be responsible for the administration of the District and its programs; the maintenance, construction and repairs of the park system, and the employment of all staff as required. The Executive Director shall recommend rules, regulations, and operating policies for the District. Once approved, the Executive Director will be responsible for their promulgation and enforcement. The Executive Director will attend all meetings of the Board and will report on Director actions and the operations and activities of the District. The Executive Director shall be an unofficial member of all Park Board committees. The Director should:

- a. Keep the Board members informed of the important aspects of the day-to-day operation of the District.
- b. Prepare all information which is necessary for the Board to become fully informed. The Executive Director should set forth a clear statement of the situation or problem, provide unbiased information on the various alternatives and financial impact of those alternatives. This information should include a summary of findings and a recommendation for action.
- c. Respect the judgment and ideas of each Board member.
- d. Enter into the day-to-day operations of the District with the spirit that administrative decision-making be in alignment with the Board philosophy and goals.

6. Attorney

The attorney shall advise the Board concerning all legal matters and shall be responsible for the prosecution and defense of all litigation in which the District is interested. The attorney shall draft all ordinances, resolutions, and other instruments as may be required by the Board.

7. Auditor

The auditor shall conduct the annual audit of the District and present the results of the audit and recommendations to the Board.

6.4 Additional Duties of Appointed Officers

In addition to the duties listed above, each officer shall perform other duties as may be required of the Board as authorized by law.

7.0 Park Board Committees

At the meeting at which the president of the Board is selected, or the first regular meeting thereafter, the president, with Board approval, shall establish the standing committees of the Board and charge them with their assignments for the next year. The standing committees will sit until the next election of the Board President.

7.1 Standing Committees

The Standing Committees may include but are not limited to:

1. Budget & Finance
2. Programs
3. Playground Equipment & Buildings/Grounds Maintenance
4. Grants and Hiring
5. Fundraising
6. Public Relations

Liaisons to:

1. Village Board
2. Village Plan Commissions
 - a. Each standing committee shall consist of one member of the Board with the chairperson being named by the Board President
 - b. Special committees may be established by the president at any time. The President shall appoint Commissioners and/or other individuals to these committees and designate the chairperson. Such committees shall sit until the business of the committee is complete and its report is accepted by the Board.
 - c. The established committees of the Board shall advise the Board on matters of policy concerning their responsibility areas and shall have such further duties as shall be assigned to them by the Board and/or President.
 - d. Committees, Liaisons, and Board Members shall not take independent actions without Board approval.

8.0 Meetings

8.1 Regular Meetings

Regular meetings of the Board shall be held the first Wednesday of each month at 7 pm. If the day of any meeting falls on a legal holiday, the meeting shall be held when designated by the Board. In December of each year, the Board shall establish the Board Meeting calendar for the coming year.

8.2 Special & Committee Meetings

Special meetings of the Board may be called by the President whenever he/she shall deem it necessary or may be called by the Secretary at the request of any two Board members. Written notice must be given to each Board member of the time and place of the special meeting prior to the date and time of the meeting as required by law. In the event of a special meeting, rescheduled regular meeting or any reconvened meeting, except as provided herein, public notice of the meeting must be given at least forty-eight (48) hours prior to date set for the special meeting. The requirement of public notice of reconvened meetings does not apply to any case where the meeting was open to the public and (1) it is to be reconvened within 24 hours, or (2) an announcement of the time and place of the reconvened meeting was made at the original meeting and there is no change in the agenda. In the event of a bona fide emergency, notice shall be given as soon as practical, but in any event prior to the holding of such meeting, to any news medium which has filed an annual request for such notice.

8.3 Place of Meetings

The meetings of the Board shall be held at the Lind Avenue Park Building, 1200 Lind Avenue, Berkeley, Illinois 60163.

8.4 Open Meetings

All regular, annual, special and committee meetings of the Board shall be held in accordance with the Open Meetings Act. (5 ILCS 120/1, et seq.)

8.5 Closed Meetings

The Board may hold a meeting closed to the public or close a portion of the meeting to the public for reasons which include but are not limited to discussion of personnel, land acquisition, or pending litigation. Of for “collective negotiation” in the event a local union is formed. Any such closed meeting shall be held in accordance with the Open Meetings Act. (5 ILCS 120/1, et seq.). No final action on any Board matter may be taken at a closed meeting.

8.6 Schedule and Notice

The District encourages citizens and press attendance at all regular and committee meetings of the Board. All meetings are open to the public with exceptions permitted as outlined in the Illinois Open Meetings Act. 5 ILCS 120/1 et seq. Notice of all meetings will be posted at the Berkeley Village Hall, the Public Library, and on the District’s website. Copies of the notice will be sent to any news media that has filed an annual request for such notice prior to the meeting as required by law. Notice of the agenda will also be posted at Lind Park. The schedule and public notice of all regular, rescheduled, or reconvened Board meeting for each calendar year shall be made in accordance with the Open Meetings Act (5 ILCS 120/1, et seq).

8.7 Quorum

A majority of the duly elected and qualified Commissioners shall constitute a quorum for the transaction of business; provided, however, that if no quorum is present, the Commissioners attending may adjourn the meeting from time to time without further notice until a quorum is obtained.

8.8 Order of Business

The order of business at all regular meetings of the Board shall include the following agenda items: Roll Call, Approval of Agenda, Correspondence (written and verbal), Attorney's Report, IT/Marketing Report, Director's Report & Operational Reports, Old Business, New Business, Topics from the Floor, and Adjournment.

8.9 Petitions Submitted By Residents

All petitions which are directed toward the District's areas of responsibility shall be brought to the attention of the Board at the earliest opportunity.

The petition shall be placed on the agenda of a regular or special meeting and be discussed by the Board. In individual(s) responsible for the petition shall be notified at the earliest possible date the Board has received the petition, as well as any action which has been decided.

8.10 Discussion

The President shall limit discussion to matters pending before the Board and may suggest time limitations on discussion.

8.11 Citizen Participation

The Board President may also impose a limit on the total time allotted at a meeting for public comment enable the Board to be able to complete the regular or special business of the meeting. The Board President may also provide for other procedures, such as requiring written submission of questions by note cards provided at the meeting, or other reasonable means, depending on the nature of the agenda item, numbers of individuals seeking to provide comment, and need to facilitate orderly and efficient use of the public comment period. The Board normally will not respond to public comments at a meeting. Since most issues brought forth during "Comments from Citizens" are either accepted in their entirety or require Board members to gather additional information before deciding how to proceed, an issue may be referred to staff or a commissioner for additional investigation and brought back to the Board as a New Business item at a future meeting. If "Comments from Citizens" concerns an item on the current meeting agenda "Action Items" list, the Board President may allow Commissioners to ask questions of the public for the purpose of clarification or to gather further input pertaining to the action item. Lack of an immediate response to public comments or presentations should not be interpreted as anything other than a commitment by the Board to take the issue under advisement for possible future action. Personnel matters and other confidential matters identified in Section 2(c) of the Illinois Open Meetings Act will not be addressed during "Comments from Citizens".

8.12 Ordinances, Resolutions and Motions

All ordinances, resolutions, and other proceedings of the Board shall be in writing and kept in a regular book of records, open to the public for inspection as prescribed by law. Illinois law provides that the Board shall have the power to “pass all necessary ordinances, rules and regulations for the proper management and control of the business of the Board and the District and to establish by ordinance all needful rules and regulations for the government and protection of parks, boulevards and driveways and other property under its jurisdiction and to effect the objects for which such districts are formed (70 ILCS 1205/8-1 (d))

8.13 Voting

A roll call vote shall be taken for the passage of ordinances, resolutions, and propositions that create any liability or for the expenditure or appropriation of money, and in all cases at the request of any Commissioner and shall be entered upon the minutes of the proceedings. The act of a majority of Commissioners present at a meeting at which a quorum is present shall be the act of the Board, except as otherwise required by the ordinances of the District, by state law, or unless the act of a great number of Commissioners is required by any section of this policy.

8.14 Rules of Order

The proceedings of the Board shall be governed by Robert’s Rules of Order in all questions or procedure not otherwise provided for herein.

8.15 Official Minutes

The Secretary of the District shall keep written minutes of all Board meetings as specified by the Open Meetings Act (5 ILCS 120/1). All action taken by the Board at all regular and special meetings of the Board shall be done in open meeting and recorded by the Secretary. The Secretary is charged with keeping an accurate and true record of all motions, resolutions and ordinances in an official minute book. All minutes will be considered “unofficial” until adopted by the Board at a subsequent meeting.

The official minutes book of the Berkeley Park District shall be open for public inspection as specified by the Open Meetings Act (5 ILCS 120/1) and the Freedom of Information Act. (5 ILCS 140/1)

The Secretary of the Board is responsible for reviewing executive minutes every six months. The Secretary will also request review of these minutes by the Park District Attorney for legal opinion on which minutes should be made available for public inspection. The Board will then take action to release minutes for public viewing or the minutes to be closed for public viewing. The recording and disposal of closed session minutes shall be handled in accordance with the Open Meetings Act. (5 ILCS 120/1, et seq.)

8.16 Executive (Closed) Session Policy

The Board may close a portion of a meeting to the public for reasons which include but are not limited to discussion of acquisition of real estate, litigation and personnel, collective negotiating, or Board appointed committee appointment. All matters discussed in executive (closed) session of the Board shall be kept confidential by all Commissioners. No final action can be taken in executive session. Any such closed meeting shall be held in accordance with the Open Meetings Act (5 ILCS 1220/2 et seq). Executive session meetings shall be recorded with the recording retained by the Park District Secretary. Minutes will be created for all executive session meetings and reviewed by the Board at the next called executive session meeting and then approved for content at the regular board meeting. At least once every six months the executive session agenda shall include a review of executive session minutes. Said minutes

shall be reviewed by the Director and a recommendation made to the Board for formal action. Criteria for keeping minutes confidential include but are not limited to the protection of the public interest or privacy of an individual. Executive session minutes not formally released by Board action are exempt from FOIA requests.

8.17 General Conduct of the Board

The Board of Park Commissioners recognizes the need for decision making and public responsiveness which requires a commitment to sound operating policies. In order to establish a high degree of efficiency among Board members in the performance of their duties, members:

1. Shall avoid making individual pronouncements and public conjectures outside of official Board Meetings about District matters not yet decided by the Board.
2. Shall represent all the people of the District while avoiding partisanship based on special interests.
3. Shall make decisions involving the welfare of the District based on study and evidence recognizing that personal feelings, opinions, and other such factors are not conducive to sound decision-making.
4. Shall act collectively as a Board and not as individuals. Commissioners should abide by the majority vote (or other vote as may be required by law) of the Board and the determination of the Board.
5. Shall respect the Board's commitment to work through the Executive Director by requesting desired information about the parks and recreation programs, by referring suggestions for new policies, for professional advice, by refraining from acting on any complaint until after the Executive Director has had an opportunity to investigate fully and report to the Board, and by wholeheartedly supporting Board approved actions of the Executive Director and staff.
6. Shall speak or act for the Board only when specifically authorized to do so by action of the Board.
7. Shall understand and respect the separation of Board responsibilities and functions from those of the Executive Director and District staff.
8. Shall serve as an active, voting member of the Board in advancing the District's Mission and carrying out Board responsibilities; share the responsibility for effective Board leadership through participation; adhere to Board policies; regularly attend and be attentive at scheduled Board and committee meetings; attend Board retreats, in-service workshops, Board self-evaluations and other Board development activities; and attend and participate in special events and District functions and, as needed, community functions.
9. Shall review and become well-informed about issues and agenda items in advance of meetings; respect and consider the opinions of and input received from the public; respect the various points of view of fellow Board members and the principle of collective decision making; participate in Board and organizational decision making; and maintain the confidentiality of matters considered in closed sessions or closed meetings until the

Park Board determines that the need for confidentiality no longer exists and votes to release the minutes of the meeting to the public.

10. Shall avoid potential conflicts of interest and the appearance of impropriety. Commissioners are subject to the State Officials and Employees Ethics Act (5 ILCS 430/ et seq.), as now and hereafter amended, and District Ordinance No. 04-007, the Berkeley Park District Ethics Ordinance. See Section 1.05 of this Manual. Commissioners are further subject to, and must comply with, the Public Officer Prohibited Activities Act (50 ILCS 105/0.01 et seq.), as now and hereafter amended, and all other applicable conflicts of interest provisions, whether established by federal, state or local laws or by common law.

8.18 Policy Regulating Communications Between Park Board Members

Section 2(a) of the Open Meetings Act provides that the governing boards of units of local government, including boards of park commissioners, may discuss public business only at a public meeting held after giving public notice. This requirement does not apply to discussions between any two members of a five-member park board or board committee. The requirements of the Open Meetings Act apply not only to in-person discussions, but to “other means of contemporaneous interactive communications,” including telephone calls, video or audio conferences, electronic mail, electronic chat and instant messaging. The Board wishes to comply with both the letter and the spirit of the Open Meetings Act, and therefore adopts the following policy. Three or more members of the Board shall not discuss the business of the Park District, and a majority of a quorum of any Board committee shall not discuss the business of the committee, in any of the following ways, except after full compliance with the requirements of the Open meetings Act:

(1) in person;

(2) by conference telephone call or other video or audio conference;

(3) by person-to-person telephone conversations in which the views, opinions or ideas of one or more commissioners are communicated to other park board members for comment, discussion or other similar response;

(4) by participation in an internet “chat room,” blog, social media, or the use of instant messages;

(5) by direct or forwarded e-mail messages in which the views, opinions or ideas of one or more commissioners are communicated to other park board members for comment, discussion or other similar response;

(6) by letters, notes or any other writings that are circulated or forwarded by mail or by personal or messenger delivery by one or more commissioners to other park board members for comment, discussion, or other similar response. Nothing contained in this policy shall be construed as prohibiting a Board member from disseminating information or messages about Park District business to any other Commissioner either in person, by telephone, by e-mail or in writing, provided that no comment, discussion, or other similar response is requested or received from more than one Commissioner. Board members should retain hard copies of any such transmittals for a period of at least two years.

APPENDIX A – Non-Discrimination and Anti-Harassment Policy

Introduction

The Park District is committed to a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that prohibits discriminatory practices, including harassment. Therefore, the Park District expects that all relationships among persons in the workplace will be business-like and free of bias, prejudice and harassment.

It is the responsibility of each and every employee, intern, officer, official, park commissioner, agent, volunteer, and vendor of the Park District as well as anyone using the Park District's facilities, to refrain from sexual and other harassment. The Park District will not tolerate sexual or any other type of harassment of or by any of its employees, elected officials, and others. Actions, words, jokes, or comments based on an individual's gender, race, color, national origin, age, religion, disability, sexual orientation, civil union partnership, or any other legally protected characteristic will not be tolerated.

This policy should not, and may not, be used as a basis for excluding or separating individuals of a particular gender, sexual orientation, civil union partnership, race, color, national origin, age, religion, disability, or any other protected characteristic, from participating in business or work-related social activities or discussions in order to avoid allegations of harassment. The law and policies of the Park District prohibit disparate treatment on the basis of gender, sexual orientation, civil union partnership, race, color, national origin, age, religion, disability, or any other protected characteristic, with regard to terms, conditions, privileges and prerequisites of employment. The prohibition against harassment, discrimination and retaliation are intended to complement and further these policies, not to form the basis of an exception to them.

Definitions of Harassment

1. Sexual harassment may occur whenever there are unwelcome sexual advances, requests for sexual favors, or any other verbal, physical, or visual conduct of a sexual nature when:
 - a. Submission to the conduct is made either implicitly or explicitly a condition of the individual's employment; or
 - b. Submission to or rejection of the conduct is used as the basis for an employment decision affecting the harassed employee/intern; or
 - c. The harassment has the purpose or effect of interfering with the employee/intern's work performance creating an environment that is intimidating, hostile, or offensive to the employee/intern.

Sexual harassment may include a range of subtle and not so subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors

may include, but are not limited to: unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess or sexual deficiencies; leering; catcalls or touching; insulting or obscene comments or gestures; display or circulation in the workplace of sexually suggestive objects or pictures (including through e-mail and/or text messages); and other physical, verbal or visual conduct of a sexual nature.

2. Harassment based on any other protected characteristic is also strictly prohibited. Under this policy, harassment is unwelcome verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of race, color, religion, sex, sexual orientation, age, national origin, disability or any other characteristic protected by law or that of relatives, friends or associates, and that: (i) has the purpose or effect of creating an intimidating, hostile or offensive work environment; (ii) has the purpose or effect of unreasonably interfering with an individual's work performance; or (iii) otherwise adversely affects an individual's employment opportunities.

Harassing conduct includes, but is not limited to epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes and display or circulation in the workplace of written or graphic material that denigrates or shows hostility or aversion toward an individual or group (including through e-mail and/or text messages).

Conduct prohibited by these policies is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, professional conferences, business meetings and business-related social events.

Retaliation Is Prohibited

The Park District prohibits retaliation against any individual who reports discrimination, harassment, or retaliation, who participates in an investigation of such reports, and/or who files a charge of discrimination, harassment, or retaliation. Retaliation against an individual for reporting harassment, discrimination, or retaliation, for participating in an investigation of a

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| Note | Any employee/intern engaging in practices or conduct constituting sexual harassment, discrimination, harassment, or retaliation (as discussed later in this policy) of any kind shall be subject to disciplinary action, up to and including discharge. |
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claim of harassment, discrimination, or retaliation, or for filing a charge of discrimination, harassment, or retaliation is a serious violation of this policy and, like harassment or discrimination itself, will be subject to disciplinary action.

In addition to the Park District's prohibition on retaliation, various state and federal laws prohibit retaliation for reports of discrimination, harassment, or retaliation. For instance, protections against retaliation exist under the Illinois Human Rights Act, and, depending on the circumstances, protections against retaliation may exist under the Illinois Whistleblower Act and/or the State Officials and Employee Ethics Act.

Reporting Procedure

The Park District strongly urges the reporting of all incidents of discrimination, harassment or retaliation, regardless of the offender's identity or position. Early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment or discrimination. Therefore, while no fixed reporting period has been established, the Park District strongly urges the prompt reporting of complaints or concerns so that rapid and constructive action can be taken.

The availability of this reporting procedure does not preclude individuals who believe they are being subjected to harassing, discriminatory, or retaliatory conduct from promptly advising the offender that the behavior is unwelcome and requesting that it be discontinued. However, nothing in this policy shall require individuals who believe they are being subjected to harassing, discriminatory, or retaliatory behavior to advise the offender.

If you experience or witness harassment or discrimination of any kind, you should deal with the incident(s) as directly and firmly as possible by clearly communicating your position to the offending person, your immediate supervisor, and/or the Executive Director. You should also document or record each incident (what was said or done, by whom, the date, time and place, and any witnesses to the incident). Written records such as letters, notes, memos, texts, tweets, social media postings, e-mails, and telephone messages can strengthen documentation. It is not necessary that the harassment be directed at you to make a complaint.

- **Direct Communication with Offender:** If there is harassing, discriminatory, or retaliatory behavior in the workplace, you should directly and clearly express your objection to the offending person(s) regardless of whether the behavior is directed at you. If you are the harassed employee, and if you feel comfortable doing so, you should clearly state that the conduct is unwelcome, and the offending behavior must stop. However, you are not required to directly confront the person who is the source of your report, question, or complaint before notifying any of those individuals listed below. Further, you are not required to directly confront the person who is the source of your report, question, or complaint if you feel uncomfortable doing so. The initial message may be oral or written, but documentation of the notice should be made. If subsequent messages are needed, they should be put in writing.
- **Report to Supervisory and Administrative Personnel:** At the same time direct communication is undertaken, or in the event you feel threatened or intimidated by the offending person, you should promptly report the offending behavior to your immediate supervisor or the Executive Director. If you feel uncomfortable doing so, or if your immediate supervisor is the source of the problem, condones the problem or ignores the problem, report directly to the Executive Director. If the Executive Director is the source of the problem, condones the problem, or ignores the problem, you should immediately report the incident or incidents in writing directly to the President of the Board of Park Commissioners.
- **Report to Executive Director/President of the Board of Park Commissioners:** An employee/intern may also report incidents of harassment, discrimination, or retaliation directly to the Executive Director. If your complaint alleges harassment, discrimination, or retaliation by the Executive Director, or if the Executive Director condones the problem or ignores the problem, you should immediately report the incident or incidents in writing directly to the President of the Board of Park Commissioners.

- If your complaint alleges harassment, discrimination, or retaliation by a Park Commissioner or if the Park Commissioner condones the problem or ignores the problem, you should immediately report the incident or incidents in writing directly to the Executive Director.
- When an allegation of discrimination, harassment, or retaliation is reported, an investigation will be conducted within a prompt period and appropriate remedial action will be taken when an allegation is determined to be substantiated. At no time will personnel involved in the alleged discrimination, harassment, or retaliation conduct the investigation. Nothing in this policy precludes a report of discrimination, harassment, or retaliation to the Illinois Department of Human Rights, which is the State agency responsible for enforcing the Illinois Human Rights Act, as described in the “Conclusion” section below. Further, the IDHR maintains a hotline for confidential reports of sexual harassment.

Harassment Allegations against Non-Employees/Third Parties

If you make a complaint alleging harassment, discrimination, or retaliation against an agent, vendor, supplier, contractor, volunteer, or person using Park District programs or facilities, the Executive Director (or designee) will promptly investigate the incident(s) and determine the appropriate remedial action, if any. The Park District will make reasonable efforts to protect you from further contact with such persons. Please recognize, however, that the Park District has limited control over the actions of non-employees.

Responsibility of Supervisors and Witnesses

Any supervisor or managerial employee who becomes aware of any possible sexual or other harassment, discrimination and/or retaliation of or by any employee/intern should immediately advise the Executive Director, and the Director (or designee) will investigate the conduct promptly and take prompt remedial allegation if the allegations are substantiated.

All employees/interns are encouraged to report incidents of harassment, discrimination, and/or retaliation regardless of who the offender may be or whether or not you are the intended victim.

The Investigation

Any reported allegations of harassment, discrimination or retaliation will be investigated promptly. The Park District will make every reasonable effort to investigate in a responsible and confidential manner. However, it is impossible to guarantee absolute confidentiality, as the Park District must be able to fully investigate and take prompt remedial action when necessary. The investigation may include individual interviews with the parties involved, and where necessary, with individuals who may have observed the alleged conduct or may have other knowledge relevant to the allegations. The Park District reserves the right and hereby provides notice that third parties may be used to investigate claims of harassment, discrimination, and/or retaliation. You must cooperate in any investigation of workplace wrongdoing or risk disciplinary action, up to and including termination.

Responsive Action

After investigation, the Park District will determine whether a complaint of harassment, discrimination or retaliation has been substantiated or not based on a review of the facts and circumstances of each situation. Misconduct constituting a violation of this policy (such as engaging in harassment, discrimination, or retaliation), will be dealt with appropriately. Appropriate responsive action for a substantiated complaint may include, by way of example only: training, referral to counseling, and/or disciplinary action (such as referral to the Ethics Officer, suspension of Board activities and benefits and/or possible removal from Board position, as the Park District believes appropriate under the circumstances.

False and Frivolous Complaints

Given the possibility of serious consequences for an individual accused of sexual harassment, discrimination, or retaliation, complaints made in bad faith or otherwise false and frivolous

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| Important Notice To All Employees | Employees/interns who have experienced conduct they believe is contrary to this policy have an obligation to take advantage of this reporting procedure. |
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charges are considered severe misconduct and may result in disciplinary action, up to and including dismissal.

While we hope to be able to resolve any complaints of discrimination, harassment, or retaliation within the Park District, we acknowledge your right to contact the Illinois Department of Human Rights (IDHR) at the James R. Thompson Center, 100 West Randolph Street, Suite 10-100, Chicago, Illinois 60601, about filing a formal complaint. The IDHR also has a reporting hotline, which includes a method for the intake of anonymous phone calls regarding allegations of sexual harassment. If the IDHR determines that there is sufficient evidence of harassment to proceed further, it will file a complaint with the Illinois Human Rights Commission (HRC), located at the same address on the fifth floor. If the IDHR does not complete its investigation within 365 days, you may file a complaint directly with the HRC between the 365th and the 395th day.