


McLean County Unit District No. 5

1809 West Hovey Avenue
Normal, Illinois 61761-4339

Office of the Superintendent

Ph: (309) 557-4400
FAX: (309) 557-4501

July 9, 2018

Dr. James Harden


Re: Letter of Reprimand and Directives

Dear Dr. Harden:

As you know, the School District received complaints that you made comments and gestures of a sexual nature and inappropriate racial comments in the unit office. The School District retained an outside law firm to investigate the complaints. You met with the investigators on June 29, 2018, and were accompanied by your attorney. During the meeting with the investigators, you denied making any sexual comments or intentional gestures of a sexual nature. You acknowledged, however, that you have discussed issues of race and cultural differences in the unit office. Your attorney also submitted a written statement to the investigators in response to the allegations on your behalf on July 2, 2018.

This letter is to inform you that the investigators determined that you did make comments and gestures of a sexual nature in the unit office during the Fall of 2017. In particular, the investigators determined that you motioned toward a conference table in the unit office as though you were pressing on or clearing the table and made a comment jokingly indicating that you would like to have sex with your wife on the conference table. The investigators also determined that you jokingly asked employees whether going to particular restaurants would get you "laid" and that you made sexually suggestive remarks while eating Hershey's chocolate kisses in the unit office. You acknowledged to the investigators that you have called female staff members by your wife's name when they get "fussy."

As noted above, you acknowledged that you have discussed racial and cultural differences in the unit office, especially in the context of food. The investigators determined that, during these conversations, you joked about differences between white and black preferences for food and that some of the comments attributed to you were not professional. Although you denied making comments such as "white people are crazy" for eating a particular type of food, the investigators found the reports of these comments credible. The manner in which you have joked about racial differences has made other staff members feel uncomfortable.

You also reported to the investigators that you have overheard or been the recipient of racially insensitive comments or messages. Based both on the findings of the investigators as to your conduct and on your reported concerns, the School District is considering conducting additional racial sensitivity training for all personnel in the unit office.

Overall, the investigators determined that you made sexual comments and gestures and comments about race in a joking manner but without the intent to harass, offend, or discriminate against others. Additionally, the investigators determined that by calling female staff members by your wife's name, you made the staff members feel as though you were dismissing their concerns. Despite these findings, the investigators ultimately concluded that your conduct did not rise to the level of unlawful harassment or a violation of the Board of Education's sexual harassment policy. Nonetheless, the School District finds that your conduct is unacceptable and unprofessional, especially for the position of Executive Director of Human Resources, and you must remediate your conduct immediately.

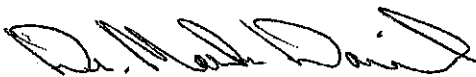
To assist you in remediating your conduct, you are directed as follows:

1. Cease making any comments or gestures of a sexual nature, even in a joking manner;
2. Attend additional training on sexual harassment as directed by the Superintendent;
3. If discussing racial or cultural differences, do so in a professional, non-joking manner;
4. Cease calling staff members by your wife's name; and
5. Do not retaliate against any employees who participated in the School District's investigation.

Please be advised that if you fail to follow these directives or if the School District receives subsequent verified complaints that you have engaged in further misconduct, you may be subject to additional discipline, up to and including immediate dismissal.

If you have any questions concerning the School District's directives or expectations, please contact me.

Sincerely,

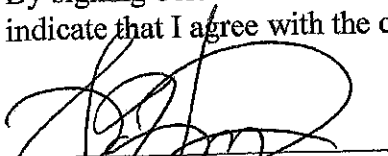


Dr. Mark Daniel,
Superintendent

cc: Barry Hitchins, Board President
Personnel File

ACKNOWLEDGEMENT OF RECEIPT

By signing below I acknowledge receipt of this reprimand but my signature does not necessarily indicate that I agree with the content.


Dr. James Harden

7/9/18
Date

* signed as received only