2:270-AP Administrative Procedure - Prevention and Response Program for Complaints of Discrimination and Harassment Based on Race, Color, and National Origin

The District responds to all reports of alleged discrimination and harassment based on an individual's race, color, or national origin in violation of federal law, State law, and/or Board policy. Use this procedure and 2:260-AP1, *Guidelines for Investigating Complaints Filed Under Policy 2:260, Uniform Grievance Procedure, and Allegations of Misconduct*, to implement the District's response to reports of discrimination and harassment based on a student's, employee's, or community member's race, color, or national origin, as well as any related complaints of retaliation.

Training

Actor	Action
Superintendent or Designee	Ensures all District employees receive training on the prevention of discrimination and harassment based on race, color, and national origin in school as part of new employee training and at least once every two years. Uses the model training program developed by the Ill. Dept. of Human Rights (IDHR) or another training program that includes, at a minimum, the following (775 ILCS 5/5A-103(b), added by P.A. 103-472, eff. 8-1-24): 1. A primary focus on prevention of discrimination and harassment based on race, color, and national origin and retaliation; 2. An explanation of discrimination and harassment based on race, color, and national origin and an explanation of retaliation; 3. Examples of conduct that constitute discrimination and harassment based on race, color, and national origin and retaliation; 4. An explanation, with examples, of how patterns of conduct can, taken together over time, rise to the level of bullying, harassment, or discrimination; 5. An explanation of the difference between discrimination based on disparate treatment and discrimination based on disparate impact; 6. A summary of other classes that are protected from harassment and discrimination, and a statement that training intended to improve recognition of discrimination based on race, color, and national origin does not diminish protections under the law for other protected classes; 7. An explanation of the difference between harassment as defined under the Ill. Human Rights Act (IHRA) and bullying; 8. A summary of relevant federal and State statutory protections and remedies available to victims concerning discrimination and harassment based on race, color, and national origin, and retaliation, including, but not limited to, a summary of the IHRA's protections from discrimination, harassment and retaliation in the following contexts: (a) students toward other students; (b) teachers and other school employees toward students; (c) students toward

	teachers and other school employees; and (d) teachers and other school employees toward other teachers and other school employees. 9. Directions on how to contact the IDHR if a school fails to take corrective action to stop the harassment or discrimination; 10. A summary of responsibilities of schools in the prevention, investigation, and corrective measures of discrimination, harassment, and retaliation, including, but not limited to, explanation of responsibilities in the contexts listed in item #8, above; and 11. An explanation of the liability for discrimination, harassment, and retaliation under the IHRA.

Reporting

Actor	Action
All District employees	Upon receiving a report of an allegation of discrimination or harassment based on race, color, or national origin, or any other conduct prohibited by Board policy 2:270, *Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited*: 1. If applicable, immediately reports a suspicion of child abuse or neglect to the Ill. Dept. of Children and Family Services on its Child Abuse Hotline 1-800-25-Abuse (1-800-252-2873 (within Illinois); 1-217-524-2606 (outside Illinois); or 1-800-358-5117 (TTY)). 2. Promptly forwards the report of the allegation of discrimination or harassment to the District's Nondiscrimination Coordinator or a Complaint Manager.

Investigation

Actor	Action
Nondiscrimination Coordinator or Complaint Manager	Follows the internal complaint process in policy 2:260, *Uniform Grievance Procedure*, and the guidelines in 2:260-AP1, *Guidelines for Investigating Complaints Filed Under Policy 2:260, Uniform Grievance Procedure, and Allegations of Misconduct*. In addition, does the following: In the case of an anonymous report, investigates the allegation(s); however, in no case can an anonymous report be the sole basis of disciplinary action against a student or employee. 105 ILCS 5/22-95(c)(3) (final citation pending), added by P.A. 103-472, eff. 8-1-24. Assigns the Building Principal to investigate allegations of student misconduct, in accordance with this procedure. Permits any person who reports or is the victim of an incident of

	alleged discrimination, harassment, or retaliation to be accompanied by a support individual of the person's choice when making a report. 105 ILCS 5/22-95(c)(2) (final citation pending), added by P.A. 103-472, eff. 8-1-24. If a support individual is accompanying a complainant, reminds the support individual that he or she: 1. May be present for emotional support of the complainant, but may not respond on the complainant's behalf, act as the complainant's advocate, or otherwise disrupt the interview. 2. Must abide by school rules for visitors, including Board policy 8:30, *Visitors to and Conduct on School Property*. 105 ILCS 5/22-95(c)(2) (citation pending), added by P.A. 103-472, eff. 8-1-24. 3. Is expected to maintain confidentiality. Informs the complainant that he/she is protected from retaliation and will not suffer adverse consequences as a result of the complaint or investigation. Explains the protection from retaliation does not mean the complainant is exempt from adverse consequences for conduct not related to the investigation. 105 ILCS 5/22-95(c)(6) (final citation pending), added by P.A. 103-472, eff. 8-1-24. When appropriate, offers the complainant the option to resolve allegations directly with the offender, but does not require or unduly influence the complainant to accept this option. 105 ILCS 5/22-95(c)(5) (final citation pending), added by P.A. 103-472, eff. 8-1-24. Based on the findings of the investigation, makes recommendations to the Superintendent regarding remedial interventions and/or disciplinary action. For employees, examples of possible remedial interventions include additional training and restorative justice practices. For students, examples of possible remedial interventions include behavior intervention supports, schedule alterations, assigned seating arrangements, and restorative justice practices.

ADMIN PROC.: 2:260-AP1 (Guidelines for Investigating Complaints Filed Under Policy 2:260, Uniform Grievance Procedure, and Allegations of Misconduct)

Approved: June 10, 2024

Harlem School District 122