Students

Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited

Discrimination and harassment on the basis of race, color, or national origin negatively affect a student's ability to learn and an employee's ability to work. Providing an educational and workplace environment free from such discrimination and harassment is an important District goal. The District does not discriminate on the basis of actual or perceived race, color, or national origin in any of its education programs or activities, and it complies with federal and State non-discrimination laws.

Examples of Prohibited Conduct

Examples of conduct that may constitute discrimination on the basis of race, color, or national origin include: disciplining students more harshly and frequently because of their race, color, or national origin; denying students access to high-rigor academic courses, extracurricular activities, or other educational opportunities based on their race, color, or national origin; denying language services or other educational opportunities to English learners; and assigning students special education services based on a student's race, color, or national origin.

Harassment is a form of prohibited discrimination. Examples of conduct that may constitute harassment on the basis of race, color, or national origin include: the use of racial, ethnic or ancestral slurs or stereotypes; taunts; name-calling; offensive or derogatory remarks about a person's actual or perceived race, color, or national origin; the display of racially-offensive symbols; racially-motivated physical threats and attacks; or other hateful conduct.

Making a Report or Complaint; Investigation Process

Individuals are encouraged to promptly report claims or incidences of discrimination or harassment based on race, color, or national origin to the Nondiscrimination Coordinator, a Complaint Manager, or any employee with whom the student is comfortable speaking. Reports under this policy will be processed under Board policy 2:260, *Uniform Grievance Procedure*.

Any District employee who receives a report or complaint of discrimination or harassment must promptly forward the report or complaint to the Nondiscrimination Coordinator or a Complaint Manager. Any employee who fails to promptly comply may be disciplined, up to and including discharge.

Reports and complaints of discrimination or harassment will be confidential to the greatest extent practicable, subject to the District's duty to investigate and maintain an educational environment that is productive, respectful, and free of unlawful discrimination, including harassment.

This policy does not impair or otherwise diminish the existing rights of unionized employees to request an exclusive bargaining representative to be present during any investigatory interviews, nor does this policy diminish any rights available under an applicable collective bargaining agreement, including, but not limited to, a grievance procedure.

Federal and State Agencies

If the District fails to take necessary corrective action to stop harassment based on race, color, or national origin, further relief may be available through the Ill. Dept. of Human Rights (IDHR) or the U.S. Dept. of Education's Office for Civil Rights. To contact IDHR, go to: https://dhr.illinois.gov/about-us/contact-idhr.html or call (312) 814-6200 (Chicago) or (217) 785-5100 (Springfield).

Prevention and Response Program

The Superintendent or designee shall establish a prevention and response program to respond to complaints of discrimination based on race, color, and national origin, including harassment, and retaliation. The program shall include procedures for responding to complaints which:

1. Reduce or remove, to the extent practicable, barriers to reporting discrimination, harassment, and retaliation;
2. Permit any person who reports or is the victim of an incident of alleged discrimination, harassment, or retaliation to be accompanied when making a report by a support individual of the person's choice who complies with the District's policies and rules;
3. Permit anonymous reporting, except that an anonymous report may not be the sole basis of any disciplinary action;
4. Offer remedial interventions or take such disciplinary action as may be appropriate on a case-by-case basis;
5. Offer, but do not require or unduly influence, a person who reports or is the victim of an incident of harassment or retaliation the option to resolve allegations directly with the accused; and
6. Protects a person who reports or is the victim of an incident of harassment or retaliation from suffering adverse consequences as a result of a report of, investigation of, or a response to the incident.

Policy Posting and Distribution

This policy shall be posted on the District's website. The Superintendent shall annually inform staff members of this policy by posting it in a prominent and accessible location such as the District website, employee handbook, staff intranet site, and/or in other areas where policies and rules of conduct are made available to staff. The Superintendent shall annually inform students and their parents/guardians of this policy by posting it on the District's website and including an age-appropriate summary of the policy in the student handbook(s).

Enforcement

Any District employee who is determined, after an investigation, to have engaged in conduct prohibited by this policy will be subject to remedial action and/or disciplinary action, up to and including discharge.

Any District student who is determined, after an investigation, to have engaged in conduct prohibited by this policy will be subject to remedial action and/or disciplinary action, including but not limited to, suspension and expulsion consistent with Board policy 7:190, *Student Behavior*.

Any third party who is determined, after an investigation, to have engaged in conduct prohibited by this policy will be addressed in accordance with the authority of the Board in the context of the relationship of the third party to the District, e.g., vendor, parent, invitee, etc. Any person making a knowingly false accusation regarding prohibited conduct will likewise be subject to remedial and/or disciplinary action.

Retaliation Prohibited

Retaliation against any person for bringing complaints, participating in the complaint process, or otherwise providing information about discrimination or harassment based on race, color, or national origin is prohibited (see Board policy 2:260, *Uniform Grievance Procedure*).

Individuals should report allegations of retaliation to the Building Principal, an administrator, the Nondiscrimination Coordinator, and/or a Complaint Manager.

LEGAL REF.: 42 U.S.C. §2000d, Title VI of the Civil Rights Act of 1964; 34 C.F.R. Part 100.
42 U.S.C. §2000e et seq., Title VII of the Civil Rights Act of 1964; 29 C.F.R. Part 1601.
105 ILCS 5/22-95 (final citation pending).
775 ILCS 5/1-101 et seq., Illinois Human Rights Act.

CROSS REF.: 2:260 (Uniform Grievance Procedure), 5:10 (Equal Employment Opportunity and Minority Recruitment), 5:20 (Workplace Harassment Prohibited), 5:90 (Abused and Neglected Child Reporting), 5:120 (Employee Ethics; Code of Professional Conduct; and Conflict of Interest), 7:10 (Equal Educational Opportunities), 7:20 (Harassment of Students Prohibited), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:190 (Student Behavior), 7:240 (Conduct Code for Participants in Extracurricular Activities)

ADOPTED: March 17, 2025

EQUAL OPPORTUNITY

Equal education and extracurricular opportunities shall be available for all students without regard to race, color, national origin, ancestry, sex, sexual orientation, age, ethnicity, language barrier, religious beliefs, physical and mental handicap or disability, gender identity, status of being homeless, order of protection status, or actual or potential marital or parental status, including pregnancy.

Further, the District will not knowingly enter into agreements with any entity or any individual that discriminates against students on the basis of sex or any other protected status, except that the District remains viewpoint neutral when granting access to school facilities under School Board Policy 8:20. Any student may file a discrimination grievance by using the Uniform Grievance Procedure found below.

Sex Equity
No student shall, based on sex, sexual orientation, or gender identity be denied equal access to programs, activities, services, or benefits or be limited in the exercise of any right, privilege, advantage, or denied equal access to educational and extracurricular programs and activities.

Any student may file a sex equity complaint by using the District's Uniform Grievance Procedure, found below. A student may appeal the Board's resolution of the complaint to the Regional Superintendent (pursuant to 105 ILCS 5/3-10) and, thereafter, to the State Superintendent of Education (pursuant to 105 ILCS 5/2-3.8).

Administrative Implementation
The Superintendent shall appoint a Nondiscrimination Coordinator. The Superintendent and Building Principal shall use reasonable measures to inform staff members and students of this policy and grievance procedure.

EDUCATION OF STUDENTS WITH DISABILITIES

It is the intent of the District to ensure that students who are disabled within the definition of Section 504 of the Rehabilitation Act of 1973 or the Individuals with Disabilities Education Act are identified, evaluated and provided with appropriate educational services.

In accordance with state and federal legislation regarding the education for students with disabilities, the District offers a wide range of programs and services to eligible students. Special education programs and services are available to students meeting qualifying conditions within the following categories:

- Developmental Delay
- Deaf-Blindness
- Deafness
- Intellectual Impairment
- Other Health Impairment
- Speech and Language Impairment
- Traumatic Brain Injury
- Visual Impairment (including blindness)
- Autism
- Emotional Disability
- Multiple Disabilities
- Specific Learning Disability
- Hearing Impairment
- Orthopedic Impairment

Students are identified eligible for services under the regulations set forth by the Individuals with Disabilities Education Act (IDEA). If a student is determined to be eligible, services will be delivered by learning behavior specialists or speech pathologists. Student may qualify for services provided by other related service providers as deemed necessary including speech and language therapists, occupational and physical therapists, school psychologists, school social workers, teachers of the visually impaired, and hearing itinerants.

Students with disabilities receive special education assistance within the learning environment determined most appropriate: within their home schools and the regular classroom environment; within special education classrooms; or within non-district facilities when alternatives to the public school setting are needed. In accordance with the provisions of the Rehabilitation Act of 1973 and the Americans with Disabilities Act, the District has also developed policies and procedures designed to assure an appropriate education to eligible students.

Copies of the publication "Explanation of Procedural Safeguards Available to Parents of Students with Disabilities" and/or the Illinois State Board of Education's special education regulations may be obtained from the District office, upon request.

Section 504 of the Rehabilitation Act:

Students with disabilities who do not qualify for an Individualized Education Program ("IEP"), may qualify for services under Section 504 of the Federal Rehabilitation Act of 1973, if the student (1) has a physical or mental impairment that substantially limits one or more major life activity, (2) has a record of a physical or mental impairment, or (3) is regarded as having a physical or mental impairment.

If you believe your student meets one of the above categories and requires reasonable accommodations, you may contact the Director of Student Services, Theresa Smith at 708-210-2888 for more information regarding the identification, assessment, and placement of your student.

Related Service Logs

Parents have a right to request copies of related service logs that record the types of related services administered under a child's IEP and the minutes of each type of related service that has been administered ((speech and language services, occupational therapy services, physical therapy services, school social work services, school counseling services, school psychology services, and school nursing services).

Qualified Interpreter Services

Interpretation services are available at IEP team meetings for parents/guardians whose native language is not English or for parents/guardians who are deaf. If a qualified interpreter is not available, the school may use outside vendors, including telephonic interpreters. A parent/guardian requiring interpretation services at an IEP meeting may contact the Building Principal, at least 5 business days in advance, to request an interpreter at their child's IEP meeting.

A parent or guardian has the right to request that the interpreter serve no other role in the IEP meeting other than interpreter, and the school should make reasonable efforts to fulfill this request. A parent/guardian may contact the Building Principal with any questions or complaints about interpreter services.

For more information regarding the provision of special education and related services within the District, please contact the District's Director of Student Services, Theresa Smith at 708-210-2888.

ENGLISH LEARNERS

As required by the Every Student Succeeds Act (ESSA), the District will inform the parents/guardians of limited English proficient students identified for participation or participating in a language instruction education program, as determined under Part C of the Title II of ESSA:
The reasons for their being identified;_

- Their student's level of English proficiency;_
- The instructional method used;_
- How their student's program will meet their student's needs;_
- How the program will help the student learn English;_
- Exit requirements for the program to meet the objectives of any limited English proficiency._
- For a child with a disability pursuant to the Individuals with Disabilities Education Act, how the program meets the student's objectives in his IEP;_
- Information regarding parental rights, including:_
- The right that parents have to have their child immediately removed from such a program upon their request_
- The option that parents have to decline to enroll their child in such a program or to choose another program or method of instruction, if available_
- Assisting parents in selecting among various programs and methods of instruction, if more than one program or method is offered by the eligible entity_

As required by the ESSA Section 1112(3)(B), the District must notify the parent/guardian of students identified as English Learners during the school year of the student's eligibility to receive English Language services during the first two weeks of the student being placed in a language instruction educational program.

As required by ESSA Sections 112(3)(C), the District has implemented an effective means of outreach to its parents/guardians of limited English proficient students to inform them how they can be involved in their student's education, and be active in participants in assisting their students to attain English proficiency, achieve at high levels in core academic subjects, and meet the challenging state academic achievement and content standards. In addition, the outreach includes holding and sending notice of opportunities for regular meetings to formulate and respond to parent/guardian recommendations.

EDUCATION OF HOMELESS CHILDREN

Pursuant to Board Policy 6:140, Education of Homeless Children, each homeless youth has equal access to the same free, appropriate public education as provided to other children and youths, including a public pre-school education. A *homeless child* is defined as provided in the McKinney Homeless Assistance Act and the Ill. Education for Homeless Children Act.

A homeless child may attend the District school that the child attended when permanently housed or in which the child was last enrolled. In the alternative, a homeless child living in any district school's attendance area may attend that school. Any homeless child shall be immediately admitted, even if the child or child's parent/guardian is unable to produce immunization and health records normally required for enrollment.

For more information regarding supports and services available to homeless students and families, please contact the District's Homeless Liaison Ms. Tina Alexander.

FREE AND REDUCED-PRICE FOOD SERVICES

Eligibility Criteria and Selection of Children
A student's eligibility for free and reduced-price food services shall be determined by the income eligibility guidelines, family-size income standards, set annually by the U.S. Department of Agriculture and distributed by the Ill. State Board of Education. From time to time, the income eligibility guidelines and standards may not be necessary when reimbursements for students' free breakfasts and lunches are claimed through the U.S. Depts. of Agriculture and Education's Community Eligibility Provision (CEP). When claiming the CEP, the District will follow its requirements.

Notification
At the beginning of each school year, by letter, the District shall notify students and their parents/guardians of: (1) eligibility requirements for free and reduced-price food service; (2) the application process; (3) the name and telephone number of a contact person for the program; and (4) other information required by federal law. The Superintendent shall provide the same information to: (1) informational media, the local unemployment office, and any major area employers contemplating layoffs; and (2) the District's website (if applicable), all school newsletters, or students' registration materials. Parents/guardians enrolling a child in the District for the first time, any time during the school year, shall receive the eligibility information.

Nondiscrimination Assurance
The District shall avoid publicly identifying students receiving free or reduced-price meals and shall use methods for collecting meal payments that prevent identification of children receiving assistance.

Appeal
A family may appeal the District's decision to deny an application for free and reduced-price food services or to terminate such services as outlined by the U.S. Dept. of Agriculture in 7 C.F.R. §245.7, Determining Eligibility for Free and Reduced-Price Meals and Free Milk in Schools. The Superintendent shall establish a hearing procedure for adverse eligibility decisions and provide by mail a copy of them to the family. The District may also use these procedures to challenge a child's continued eligibility for free or reduced-price meals or milk. During an appeal, students previously receiving food service benefits shall not have their benefits terminated. Students who were denied benefits shall not receive benefits during the appeal. The status of a student's appeal or eligibility for free or reduced-price food services shall not relieve the District of its obligation to provide him or her with a free meal or snack under the Hunger-Free Students' Bill of Rights Act if he or she requests one, regardless of his or her ability to pay. The Superintendent shall keep on file for a period of three years a record of any appeals made and the hearing record. The District shall also maintain accurate and complete records showing the data and method used to determine the number of eligible students served free and reduced-price food services. These records shall be maintained for three years.

BULLYING AND CYBER-BULLYING

Bullying, including cyber-bullying, is defined as any severe or pervasive physical or verbal act or conduct, including communications made in writing or electronically, directed toward a student or students that has or can be reasonably predicted to:

1. Place the student or students in reasonable fear of harm to the student's or students' person or property;

2. Cause a substantially detrimental effect on the student's or students' physical or mental health;

3.Substantially interfere with the student's or students' academic performance; and/or

4. Substantially interfere with the student's or students' ability to participate in or benefit from the services, activities, or privileges provided by a school.

Examples of bullying include, but are not limited to: name-calling, using derogatory slurs, harassment, threats, intimidation, stalking, causing psychological harm, threatening or causing physical violence, sexual harassment, sexual violence, theft, public humiliation, threatened or actual destruction of property, wearing or possessing items which depict or imply hatred of or prejudice against individuals based on one or more of the distinguishing characteristics listed in the Anti-Harassment section below, or retaliation for asserting or alleging an act of bullying. Bullying is strictly prohibited.

Cyber-Bullying is defined as bullying through the use of technology or any electronic communication, including without limitation any transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic system, photo electronic system, or photo optical system, including without limitation electronic mail, Internet communications, instant messages, or facsimile communication. Cyber-bullying includes the creation of a webpage or weblog in which the creator assumes the identity of another person or the knowing impersonation of another person as the author of posted content or messages if the creation or impersonation creates any of the effects enumerated in the definition of bullying above. Cyber-bullying also includes the distribution by electronic means of a communication to more than one person or posting of material on an electronic median that may be accessed by one or more persons if the distribution or posting creates any of the effects enumerated in the definition of bullying above.

Bullying is prohibited through the transmission of information from a computer that is accessed at a non-school related location, activity, function, or program or from the use of technology or an electronic device that is not owned, leased, or used by a school district or school if the bullying causes a substantial disruption to the educational process or orderly operation of the school.

Bullying or cyber-bullying is contrary to State law and the policy of Prairie Hills Elementary School District 144.

Students are encouraged to report claims or incidents which they reasonably believe could constitute bullying, cyber-bullying, intimidation, or harassment to any school employee using the *Bullying, Intimidation, Harassment, and Teen Dating Violence Report Form*, attached as Appendix A or through the Harassment and Bullying Reporting link on our website at www.phsd.net. Alternatively, students are encouraged to discuss the matter with the student Nondiscrimination Coordinator, Building Principal, Assistant Building Principal, Dean of Students, or a Complaint Manager as outlined below in the Uniform Grievance Procedure section of this handbook. Complaints will be kept confidential to the extent possible given the need to fully investigate the complaint. All reasonable efforts will be made to complete the investigation within 10 school days after the report of the incident was received. Appropriate school support personnel and other staff members with knowledge, experience, and training on bullying prevention, as deemed appropriate, will be involved in the investigation process. Consistent with federal and State laws and rules governing privacy rights, parents and guardians of all students involved in any alleged incident of bullying will be notified and referred for school intervention.

Any District student who is determined, after an investigation, to have engaged in conduct prohibited by this policy will be subject to a range of consequences, including discipline up to suspension and/or expulsion, educational consequences and behavioral consequences.

Interventions to address bullying take place in all District schools and include, but are not limited to, school social work services, social-emotional skill building, counseling, school psychological services, and community based referral services.

ANTI-HARASSMENT

Harassment Prohibited
No person, including a District employee or agent, or student, shall harass or intimidate a student based upon a student's race, color, national origin, ancestry, sex, religious beliefs, physical and mental handicap or disability, gender or sexual identity, or actual potential marital or parental status. The District will not tolerate harassing or intimidating conduct, whether verbal, physical, or visual, that affects tangible benefits of education, that unreasonably interferes with a student's educational performance, or that creates an intimidating, hostile, or offensive educational environment. Examples of prohibited conduct include, but are not limited to, name-calling, using derogatory slurs, or wearing or possessing items depicting or implying hatred or prejudice of one of the characteristics stated above.

Students are encouraged to promptly report claims or incidences of bullying, intimidation, harassment, sexual harassment, or any other prohibited conduct to the Nondiscrimination/Title IX Coordinator, Building Principal, Assistant Building Principal, Dean of Students, a Complaint Manager, or any other District employee with whom the student is comfortable speaking. For any report or complaint alleging sexual harassment that, if true, would implicate Title IX of the Education Amendments of 1972 (20 U.S.C. §1681 et seq.), the Nondiscrimination/Title IX Coordinator shall consider whether action under Board Policy 2:265, Title IX Sexual Harassment Grievance Procedure, should be initiated. For any other alleged student harassment that does not require action under policy 2:265, Title IX Sexual Harassment Grievance Procedure, the Nondiscrimination Coordinator or a Complaint Manager or designee shall consider whether an investigation under policies 2:260, Uniform Grievance Procedure, 7:180, Prevention of and Response to Bullying, Intimidation and Harassment, 7:190, Student Behavior, or any other relevant Board policy should be initiated, regardless of whether a written report or complaint is filed.

Title IX Sexual Harassment Grievance Procedure

Sexual harassment, as defined in Title IX (Title IX Sexual Harassment) and Board Policy 2:265, is prohibited.

Sexual Harassment Defined:

Any person, including a District employee or agent, or student, engages in Title IX Sexual Harassment whenever that person engages in conduct on the basis of an individual's sex that satisfies one or more of the following:

1. A District employee conditions the provision of an aid, benefit, or service on an individual's participation in unwelcome sexual conduct; or
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District's educational program or activity; or
3. Sexual assault as defined in 20 U.S.C. §1092(f)(6)(A)(v), dating violence as defined in 34 U.S.C. §12291(a)(10), domestic violence as defined in 34 U.S.C. §12291(a)(8), or stalking as defined in 34 U.S.C. §12291(a)(30).

Examples of sexual harassment include, but are not limited to, touching, crude jokes or pictures, discussions of sexual experiences, teasing related to sexual characteristics, spreading rumors related to a person's alleged sexual activities, rape, sexual battery, sexual abuse, and sexual coercion.

Title IX Sexual Harassment Prevention and Response:

The Superintendent or designee will ensure that the District prevents and responds to allegations of Title IX Sexual Harassment as follows:

1. Ensures that the District's comprehensive health education program in Board policy 6:60, Curriculum Content, incorporates (a) age-appropriate sexual abuse and assault awareness and prevention programs in grades pre-K through 12, and (b) age-appropriate education about the warning signs, recognition, dangers, and prevention of teen dating violence in grades 7-12. This includes incorporating student social and emotional development into the District's educational program as required by State law and in alignment with Board policy 6:65, Student Social and Emotional Development.
2. Incorporates education and training for school staff as recommended by the Superintendent, Title IX Coordinator, Nondiscrimination Coordinator, Building Principal, Assistant Building Principal, Dean of Students, or a Complaint Manager.
3. Notifies applicants for employment, students, parents/guardians, employees, and collective bargaining units of this policy and contact information for the Title IX Coordinator by, at a minimum, prominently displaying them on the District's website, if any, and in each handbook made available to such persons.

Making a Report:

A person who wishes to make a report under this Title IX Sexual Harassment grievance procedure may make a report to the Title IX/Nondiscrimination Coordinator, Building Principal, Assistant Building Principal, Dean of Students, a Complaint Manager, or any employee with whom the person is comfortable speaking. A person who wishes to make a report may choose to report to a person of the same gender.

School employees shall respond to incidents of sexual harassment by promptly making or forwarding the report to the Title IX Coordinator. An employee who fails to promptly make or forward a report may be disciplined, up to and including discharge.

Non-Discrimination/Title IX Coordinator: Dr. Kenneth Scott, 3015 W. 163rd Street, Markham, IL 60428, 708-210-2888.

Processing and Reviewing a Report or Complaint:

Upon receipt of a report, the Title IX Coordinator will analyze the report to identify and determine whether there is another or an additional appropriate method(s) for processing and reviewing it. For any report received, the Title IX Coordinator shall review Board policies 2:260, Uniform Grievance Procedure; 5:20, Workplace Harassment Prohibited; 5:90, Abused and Neglected Child Reporting; 5:120, Employee Ethics; Conduct; and Conflict of Interest; 7:20, Harassment of Students Prohibited; 7:180, Prevention of and Response to Bullying, Intimidation, and Harassment; 7:185, Teen Dating Violence Prohibited; and 7:190, Student Behavior, to determine if the allegations in the report require further action.

Where the Title IX Coordinator determines that the report will be processed and reviewed according to this policy, the Title IX Coordinator and/or designee will promptly contact the Complainant to: (1) discuss the availability of supportive measures, (2) consider the Complainant's wishes with respect to supportive measures, (3) inform the Complainant of the availability of supportive measures with or without the filing of a Formal Title IX Sexual Harassment Complaint, and (4) explain to the Complainant the process for filing a Formal Title IX Sexual Harassment Complaint.

Reports of alleged sexual harassment will be confidential to the greatest extent practicable, subject to the District's duty to investigate and maintain an educational program or activity that is productive, respectful, and free of sexual harassment.

Formal Title IX Sexual Harassment Complaint Grievance Process:

When a Formal Title IX Sexual Harassment Complaint is filed, the Title IX Coordinator will investigate it or appoint a qualified person to undertake the investigation.

The Superintendent or designee shall implement procedures to ensure that all Formal Title IX Sexual Harassment Complaints are processed and reviewed according to a Title IX grievance process that fully complies with 34 C.F.R. §106.45. The District's grievance process shall, at a minimum:

1. Treat Complainants and Respondents equitably by providing remedies to a Complainant where the Respondent is determined to be responsible for sexual harassment, and by following a grievance process that complies with 34 C.F.R. §106.45 before the imposition of any disciplinary sanctions or other actions against a Respondent.
2. Require an objective evaluation of all relevant evidence – including both inculpatory and exculpatory evidence – and provide that credibility determinations may not be based on a person's status as a Complainant, Respondent, or witness.
3. Require that any individual designated by the District as a Title IX Coordinator, investigator, decision-maker, or any person designated by the District to facilitate an informal resolution process:
4. Not have a conflict of interest or bias for or against complainants or respondents generally or an individual Complainant or Respondent.
5. Receive training on the definition of sexual harassment, the scope of the District's education program or activity, how to conduct an investigation and grievance process (including hearings, appeals, and informal resolution processes, as applicable), and how to serve impartially.
6. Require that any individual designated by the District as an investigator receiving training on issues of relevance to create an investigative report that fairly summarizes relevant evidence.
7. Require that any individual designated by the District as a decision-maker receive training on issues of relevance of questions and evidence, including when questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant.
8. Include a presumption that the Respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.
9. Include reasonably prompt timeframes for conclusion of the grievance process.
10. Describe the range of possible disciplinary sanctions and remedies the District may implement following any determination of responsibility.
11. Base all decisions upon the preponderance of evidence standard.
12. Include the procedures and permissible bases for the Complainant and Respondent to appeal.
13. Describe the range of supportive measures available to Complainants and Respondents.
14. Not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

Enforcement:

Any District employee who is determined, at the conclusion of the grievance process, to have engaged in Title IX sexual harassment will be subject to disciplinary action up to and including discharge. Any third party who is determined, at the conclusion of the grievance process, to have engaged in Title IX sexual harassment will be addressed in accordance with the authority of the Board in the context of the relationship of the third party to the District, e.g., vendor, parent, invitee, etc. Any District student who is determined,

at the conclusion of the grievance process, to have engaged in Title IX sexual harassment will be subject to disciplinary action, including, but not limited to, suspension and expulsion consistent with student behavior policies. Any person making a knowingly false accusation regarding sexual harassment will likewise be subject to disciplinary action.

This policy does not increase or diminish the ability of the District or the parties to exercise any other rights under existing law.

Retaliation Prohibited:

The District prohibits any form of retaliation against anyone who, in good faith, has made a report or complaint, assisted, or participated or refused to participate in any manner in a proceeding under this policy. A person who believes that he or she is being retaliated against should make a report to the Title IX Coordinator, Nondiscrimination Coordinator, or Building Principal.

Any person who retaliates against others for reporting or complaining of violations of this policy or for participating in any manner under this policy will be subject to disciplinary action, up to and including discharge, with regard to employees, or suspension and expulsion, with regard to students.

UNIFORM GRIEVANCE PROCEDURE

A student, parent/guardian, employee, or community member should notify any District Complaint Manager if he or she believes that the Board of Education, its employees, or agents have violated his or her rights guaranteed by the State or federal Constitution, State or federal statute, or Board policy, or have a complaint regarding any one of the following:

1. Title II of the Americans with Disabilities Act, 42 U.S.C. §12101 et seq
2. Title IX of the Education Amendments of 1972, 20 U.S.C. §1681 et seq., excluding Title IX sexual harassment complaints which are governed by policy 2:265, *Title IX Sexual Harassment Grievance Procedure*
3. Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. §791 et seq.
4. Title VI of the Civil Rights Act, 42 U.S.C. §2000d et seq.
5. Equal Employment Opportunities Act (Title VII of the Civil Rights Act), 42 U.S.C. §2000e et seq.
6. State Officials and Employees Ethics Act, 5 ILCS 430/70- 5(a); Illinois Human Rights Act 775 ILCS 5/, Title VII of the Civil Rights Act of 1964 42 U.S.C. §2000e et seq. ((Title IX sexual harassment complaints are addressed under policy 2:265, Title IX Sexual Harassment Grievance Procedure)
7. Breastfeeding accommodations for students, 105 ILCS 5/10-20.60
8. Bullying, 105 ILCS 5/27-23.7
9. Misuse of funds received for services to improve educational opportunities for educationally disadvantaged or deprived children Curriculum, instructional materials, and/or programs
10. Curriculum, instructional materials, and/or programs
11. Victims' Economic Security and Safety Act, 820 ILCS 180
12. Illinois Equal Pay Act of 2003, 820 ILCS 112
13. Provision of services to homeless students
14. Illinois Whistleblower Act, 740 ILCS 174/1 et seq.
15. Misuse of genetic information (Illinois Genetic Information Privacy Act (GIPA), 410 ILCS 513/ and Titles I and II of the Genetic Information Nondiscrimination Act (GINA), 42 U.S.C. §2000ff et seq.)

The Complaint Manager will first attempt to resolve complaints without resorting to this grievance procedure. If a formal complaint is filed under this policy, the Complaint Manager will address the complaint promptly and equitably. A student and/or parent/guardian filing a complaint under this policy may forego any informal suggestions and/or attempts to resolve it and may proceed directly to this grievance procedure. The Complaint Manager will not require a student or parent/guardian complaining of any form of harassment to attempt to resolve allegations directly with the accused (or the accused's parents/guardians); this includes mediation.

Right to Pursue Other Remedies Not Impaired

The right of a person to prompt and equitable resolution of a complaint filed under this policy shall not be impaired by the person's pursuit of other remedies, e.g., criminal complaints, civil actions, etc. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies and use of this grievance procedure does not extend any filing deadline related to the pursuit of other remedies. If a person is pursuing another remedy subject to a complaint under this policy, the District will continue with a simultaneous investigation under this policy.

Deadlines

All deadlines under this policy may be extended by the Complaint Manager as he or she deems appropriate. As used in this policy, school business days means days on which the District's main office is open.

Filing a Complaint

A person (hereinafter Complainant) who wishes to avail him or herself of this grievance procedure may do so by filing a complaint with any District Complaint Manager. The Complainant shall not be required to file a complaint with a particular Complaint Manager and may request a Complaint Manager of the same gender. The Complaint Manager may request the Complainant to provide a written statement regarding the nature of the complaint or require a meeting with a student's parent(s)/guardian(s). The Complaint Manager shall assist the Complainant as needed. For any complaint alleging bullying and/or cyberbullying of students, the Complaint Manager shall process and review the complaint according to Board policy 7:180, Prevention of and Response to Bullying, Intimidation, and Harassment, in addition to any response required by this policy. For any complaint alleging sexual harassment or other violation of Board policy 5:20, Workplace Harassment Prohibited, the Complaint Manager shall process and review the complaint according to that policy, in addition to any response required by this policy.

Investigation Process

The Complaint Manager will investigate the complaint or appoint a qualified person to undertake the investigation on his or her behalf. The Complaint Manager shall ensure both parties have an equal opportunity to present evidence during an investigation. If the Complainant is a student, under 18 years of age, the Complaint Manager will notify his or her parents/guardians that they may attend any investigatory meetings in which their child is involved. The complaint and identity of the Complainant will not be disclosed except: (1) as required by law or this policy, (2) as necessary to fully investigate the complaint, or (3) as authorized by the Complainant. The identity of any student witnesses will not be disclosed except: (1) as required by law or any collective bargaining agreement, (2) as necessary to fully investigate the complaint, or (3) as authorized by the parent/guardian of the student witness, or by the student if the student is 18 years or age or older. The Complaint Manager will inform, at regular intervals, the person(s) filing a complaint under this policy about the status of the investigation. Within 30 school business days after the date the complaint was filed, the Complaint Manager shall file a written report of his or her findings with the Superintendent. The Complaint Manager may request an extension of time. The Superintendent will keep the Board informed of all complaints. If a complaint contains allegations involving the Superintendent or Board member(s), the written report shall be filed directly with the Board, which will make a decision in accordance with paragraph four of the following section of this policy.

Decision and Appeal

Within five school business days after receiving the Complaint Manager's report, the Superintendent shall mail his or her written decision to the Complainant and the accused by first class U.S. mail as well as to the Complaint Manager. All decisions shall be based upon the preponderance of evidence standard. Within 10 school business days after receiving the Superintendent's decision, the Complainant or the accused may appeal the decision to the Board of Education by making a written request to the Complaint Manager. The Complaint Manager shall promptly forward all materials relative to the complaint and appeal to the Board of Education. Within 30 school business days, the Board shall affirm, reverse, or amend the Superintendent's decision or direct the Superintendent to gather additional information. Within five school business days after the Board's decision, the Superintendent shall inform the Complainant and the accused of the Board's action. For complaints containing allegations involving the Superintendent or Board member(s), within 30 school business days after receiving the Complaint Manager's or outside investigator's report, the Board shall mail its written decision to the Complainant and the accused by first class U.S. mail as well as to the Complaint Manager. This policy shall not be construed to create an independent right to a hearing before the Superintendent or Board. The failure to strictly follow the timelines in this grievance procedure shall not prejudice any party.

Appointing a Nondiscrimination Coordinator and Complaint Managers

The Superintendent shall appoint a Nondiscrimination Coordinator to manage the District's efforts to provide equal opportunity employment and educational opportunities and prohibit the harassment of employees, students, and others. The Nondiscrimination Coordinator also serves as the District's Title IX Coordinator. The Superintendent shall appoint at least one Complaint Manager to administer this policy. If possible, the Superintendent will appoint two Complaint Managers, one of each gender. The District's Nondiscrimination Coordinator may be appointed as one of the Complaint Managers. The Superintendent shall insert into this policy and keep current the names, office addresses, email addresses, and telephone numbers of the Nondiscrimination Coordinator and the Complaint Managers. The Superintendent or designee shall ensure that students, parents/guardians, employees, and members of the community are informed of the contact information for the District's Nondiscrimination Coordinator and Complaint Managers on an annual basis.

The Superintendent has appointed the following personnel:

Nondiscrimination Coordinator (Appointed by Dr. Kimako Patterson, Superintendent):

Name: Dr. Kenneth Scott
3015 West 163rd Street
Markham, Illinois 60426
(708) 210 – 2888

Complaint Managers (Appointed by Dr. Kimako Patterson, Superintendent):

Name: Dr. Tiffany Burnett-Johnson
3015 W. 163rd St.
Markham, IL 60428
(708) 210 - 2888

The Superintendent shall use reasonable measures to inform staff members and students that the District will not tolerate harassment, discrimination, or retaliation.

Any District employee who is determined, after an investigation, to have engaged in harassment, discrimination, or retaliation will be subject to disciplinary action up to and including discharge. Any