NON-DISCRIMINATION, NON-HARASSMENT, AND NON-RETALIATION INVOLVING STUDENTS, OR INVOLVING STUDENT AND SCHOOL EMPLOYEE

Application of this Policy: This policy adheres to Illinois law in addressing reports of a student against another student(s), a report of a student(s) against a School employee, and a report of a School employee against a student(s).

Policy:
The Diocese prohibits discrimination and harassment based on sex, race, color, religion, national origin, and disability within the educational environment. The Diocese prohibits retaliation against a student or students because the student made a good faith report of discrimination or harassment or participated in an investigation of discrimination or harassment. The Diocese and School's policies and procedures are administered without regard to sex, race, color, religion, national origin, and disability.

Definitions:
Educational environment includes conduct that occurs at school, school-related activities, or events, and may include conduct that occurs off school grounds, subject to applicable State and federal law.

Unlawful discrimination is conduct or action toward or against an individual which is motivated by that individual's sex, race, color, religion, national origin, or disability as that term is defined by federal and state law.

The School adheres to State and Federal laws on disability accommodations. If while adhering to the state and federal laws on accommodating a student's disability the School determines it is unable to provide an accommodation to a student with a disability which would allow the student to receive an education in which he learns and can succeed, the School's decision is lawful.

Unlawful harassment is any verbal or physical conduct that denigrates or shows hostility toward a student because of the student's actual or perceived sex, race, color, religion, national origin, or disability as that term is defined by federal and state law. Unlawful harassment is conduct that has the purpose or effect of substantially interfering with an student's performance, or creating an intimidating, hostile, offensive environment, or otherwise adversely affecting a student's academic or school activity opportunities.

Examples of Harassment include epithets, slurs, negative stereotyping or insulting or degrading words or actions based on the protected characteristic; threatening, intimidating or violent acts directed against an employee. Harassment may exist in the use of written material or graphics. These and all other forms of unlawful harassment are strictly prohibited.

Reporting a violation of this Policy:
If a student or a parent/legal guardian of that student believes the student is a victim of unlawful discrimination, harassment, or retaliation, the student or parent/legal guardian should report this to the Principal or Head of School. If the complaint of discrimination, harassment, or retaliation is against the Principal or Head of School, the report should be made to the Superintendent of

Catholic Schools of the Diocese of Rockford. A student or parent/legal guardian of the student who reports or a student who is the alleged victim of discrimination, harassment, or retaliation is permitted to be accompanied, when making the report, by a support person of his or her choice who complies with the School's policies or rules. A student or parent/guardian of the student is permitted to make a report anonymously. However, such anonymity renders the allegation very difficult to investigate, and may render an investigation futile.

Investigation:
All reports of unlawful discrimination, harassment, and retaliation will be investigated and treated seriously. The investigation may include a review of relevant documents, emails, and texts, as well as interviewing the alleged victim, potential witnesses and the alleged accused. In the discretion of the School and based on the nature of the allegation, the School may offer but will not require or unduly influence the alleged victim of discrimination, harassment, or retaliation the option to resolve differences directly with the accused. Students who are asked to provide information during an investigation are expected to cooperate. A student who fails refuses without valid cause to participate in the investigation may be disciplined up to and including suspension and or expulsion. Valid cause for refusing to participate will be determined on a case-by-case basis by the School. The School may inform the alleged victim. Upon completion of the investigation, a determination as to the merits of the allegation of discrimination will be made where possible, and where a violation of this policy has been determined, the School will take prompt effective remedial action it determines appropriate and required by the circumstances. The alleged victim and accused and their parents/legal guardians will be informed of the result of the investigation.

Discipline for Violation of this Policy:
A student found to have violated this policy may be subject to discipline such as remedial interventions up to and including suspension and expulsion, depending on the nature of the violation.

Protection against Retaliation:
Retaliation against a student who believes reasonably and in good faith that he or she has been the victim of discrimination or harassment or has otherwise openly opposed discrimination including by participating in an investigation, is prohibited. Complaints of retaliation should be reported to the Principal or Head of School. Where the complaint is against these individuals, the complaint should be reported to the Superintendent of Catholic Schools of the Diocese of Rockford.

Governmental Agencies:
We strongly encourage students and their parents/legal guardians to use the complaint procedure described in this policy to enable the Diocese to address and deal with allegations of unlawful discrimination, harassment, and retaliation. Recourse for discrimination may be had through the Illinois Department of Human Rights, 100 West Randolph Street, Suite 10-100, Chicago, IL 60601, (312) 814-6200.

Obligation of Every School to Collect data on Allegations of Unlawful Discrimination, Harassment, or Retaliation and Annually Report data to ISBE:
Effective beginning the 2024-2025 school year, every school shall collect, maintain, and submit to the State Board of Education non-identifiable data regarding verified allegations of discrimination and/or harassment based on a student's or students' sex, race, color, religion, national origin, and/or disability within the school. The school must submit such data in an

annual report due to the State Board of Education no later than August 15 of each year starting with the 2024-2025 school year through the 2028-2029 school year. Because the data collection starts with the 2024-2025 school year, the first annual report to the ISBE is due August 15, 2025.

The State Board of Education has adopted rules for this submission and has created an excel spreadsheet for the reporting of allegations of unlawful discrimination, harassment, and retaliation, a well as a memo explaining how to complete the excel spreadsheet. The excel spreadsheet should be used by each school to report allegations of unlawful discrimination, harassment, and retaliation, and to report verified allegations of bullying (See Bullying Policy 5170).

Procedure:

105 ILCS 5/22-95 new
Public Act 103-0472; SB0090

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