Equal Educational Opportunity and Nondiscrimination

POLICY

No student shall be discriminated against on the basis of his or her race; color; national origin; sex; sexual orientation; gender identity or expression; ancestry; age; religion; physical or mental disability; order of protection status; actual or potential marital or parental status, including pregnancy; or any other legally protected category in the District’s programs, activities, services or benefits. Additionally, no student shall be denied equal access to the District’s educational or extracurricular programs or activities.

No student or other person shall be intimidated, threatened, coerced or otherwise retaliated against for the good faith reporting or participation in the investigation of a discrimination or gender equity complaint.

The District will not knowingly enter into agreements with any entity or any individual that discriminates against students on an impermissible basis. However, the District remains viewpoint neutral in regard to use of its facilities by authorized individuals or entities.

Students, parents, employees and visitors have a right to report and are encouraged to report reasonable suspicions of discrimination based on a good faith belief that the activities are in violation of State or federal law or District policy. Supervisors are required to make such reports. The report will be investigated promptly, and appropriate action will be taken to correct unlawful or inappropriate conduct when verified.

The District will respond to and deal with issues of alleged discrimination causing problems in the school(s) even if those issues have their origin in social media. This includes addressing allegations of false accusations of discrimination or retaliation. Persons found to have violated this policy, by a preponderance of the evidence, shall be disciplined, up to and including discharge, if an employee, or suspension or expulsion, if a student. Any person making a knowing or malicious false accusation regarding prohibited conduct likewise will be subject to disciplinary action, up to and including discharge, with regard to employees, or suspension and expulsion, with regard to students. Members of the public who violate this policy may have their access to the schools and/or ability to attend school activities limited or be banned from school premises or activities for a defined period of time.

Coordinator for Nondiscrimination, Including Title IX

To implement this policy, the Superintendent shall appoint a Coordinator for Nondiscrimination, who also serves as the District’s Title IX Coordinator (Coordinator). Additionally, the Superintendent or his/her designee may appoint a core group of administrators to serve as Complaint Managers to assist the Coordinator in investigating complaints of discrimination, false accusations or retaliation. If, however, the report involves the Coordinator, the Superintendent or his/her designee shall fulfill this role. If the report involves the Superintendent, the District’s legal counsel will manage the investigation, in consultation with the Board President.
Coordinator for Nondiscrimination, Including Title IX (cont.)

The Coordinator may be contacted for information or filing of a complaint at:

Coordinator for Nondiscrimination/
Title IX Coordinator
Waukegan Public Schools
1201 N. Sheridan Rd.
Waukegan, IL 60085
Telephone: 224-303-1025
nondiscrimination_coordinator@wps60.org

RULES AND REGULATIONS

Notification of Policy and Grievance Procedure

1. **On Request:** Within seven (7) school business days of inquiry, the Coordinator shall send a copy of the District’s written grievance procedure to the person making the inquiry. The Superintendent or his/her designee shall be notified of any pattern of requests that may arise over time.

2. **Annually:** Students and parents shall be notified annually of the District’s nondiscrimination and gender equity policies, of their right to initiate a discrimination investigation, the prohibition against knowing and malicious false reports and retaliation, and the Coordinator or other staff to whom complaints may be directed.

3. **Other:** Procedures for reporting good faith beliefs of unlawful discrimination, false accusations or retaliation will be posted on appropriate bulletin boards in each building and in teacher handbooks, if any. This policy and the District’s “Uniform Grievance Procedure” policy also shall be posted on the District’s website.

Grievance Procedure

Good faith reports of suspected unlawful discrimination may be filed with the building principal or the Coordinator, at the address, telephone number or email address in this policy. Complaints also may be filed as set forth in the District’s “Uniform Grievance Procedure” policy.

Generally, complaints received will be investigated and resolved in accordance with the District’s “Uniform Grievance Procedure”, or, when the accused is a student, the District’s student discipline code. However, complaints regarding enrollment or transportation of homeless students will be addressed consistent with the *Education for Homeless Children Act*.

The Coordinator shall be advised of student disciplinary referrals which, following initial screening at the school, raise good faith allegations of unlawful discrimination on the basis of a protected category and shall be consulted in the investigation of the same.
Review of Gender Equity Practices

At least every four years the Title IX Coordinator shall review the District’s policies and practices in regard to gender equity to ensure nondiscrimination and compliance with ISBE “Sex Equity” regulations. This review shall include a written survey of students’ athletic interests, in accordance with State regulations. In the event noncompliance is found, a written corrective action plan shall be developed to bring the District into compliance.

Records Maintenance

Records of compliance of gender equity administrative mandates shall be maintained as required by law. Reports of complaints and investigation outcomes shall be retained in the appropriate student, employee or administrator files, in accordance with the District’s record maintenance obligations and practices.

Training

The Superintendent or his/her designee shall ensure new employees receive appropriate training regarding student’s rights to equal educational opportunities, the prevention of discrimination, and the District’s policies prohibiting discrimination. All employees shall participate in periodic refresher or update trainings.

Source: 50 ILCS 250/1 et seq. Local Records Act
        105 ILCS 5/10-20 Powers of the School Board
        105 ILCS 5/10-20.5 Rules
        105 ILCS 5/10-20.12 School Year – School Age
        105 ILCS 5/10-22.5 Assignment of Pupils To Schools - Non-resident Pupils - Tuition - Race Discrimination
        105 ILCS 5/14A-25 Nondiscrimination (Gifted & Talented Children)
        105 ILCS 5/14C-1 Legislative Finding and Declaration (English Learners)
        105 ILCS 5/27-1 Areas of Education Taught - Discrimination on Account of Sex
        105 ILCS 10/4 Custodian; Permanent and Temporary Records
        105 ILCS 45/1-1 et seq. Education for Homeless Children Act
        775 ILCS 5/5-101 Public Accommodations (Illinois Human Rights Act)
        775 ILCS 35/5 Religious Freedom Restoration Act
        740 ILCS 23/5 Illinois Civil Rights Act of 2003
        Ill. Const., art. I, § 2 Due Process and Equal Protection
        Ill. Const., art. I, § 18 No Discrimination on the Basis of Sex
        20 USC § 1681 et seq. Title IX of the Education Amendments of 1972
        29 USC § 794 Nondiscrimination Under Federal Grants and Programs (Section 504 of the Rehabilitation Act)
        42 USC § 2000d et seq. Title VI of the Civil Rights Act of 1964
Source (cont.)

42 USC § 2000bb-1 et seq.  Religious Freedom Restoration Act
42 USC § 11431 et seq.  McKinney-Vento Homeless Assistance Act
42 USC § 12111 et seq.  Americans with Disabilities Act of 1990
42 USC § 1412(a)(1)  Free Appropriate Public Education (IDEA)
U.S. Const. amend. XIV  Equal Protection and Due Process

Cross Ref.: 1002  Communications With The Public
            2110  Uniform Grievance Procedure
            3304  Purchasing Procedures – Equal Employment Opportunity
            4001  Nondiscrimination
            4002  Harassment Prohibited
            4112  Due Process for Professional Staff
            4303  Professional Responsibility – Privacy and Confidentiality of Information
            4306  Duties – Teachers
            4501  Personnel Records
            5218  English Learners Programs
            5219  Using Animals in the Educational Program
            5250  Evaluation of the Instructional Program
            6001  Admission
            6002  School Assignment and Transfer
            6013  Suspension and Expulsion of Students
            6021  Harassment of Students Prohibited
            6022  Students with Disabilities Under Section 504
            6033  Student Support Services
            6039  Prohibition Against Teen Dating Violence
            6040  Discipline of Students
            6043  Student Technology Usage
            6044  Student Possession and Use of Portable Electronic Devices, Including Cellular Telephones
            6046  Prohibition Against Bullying
            6050  Confidentiality of Student Information and Records
            6051  Student Records – Maintenance & Destruction
            7010  Provision of a Free Appropriate Public Education
            7020  Full Educational Opportunity Goal
            7140  Behavioral Intervention and Discipline
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