

**Illinois Criminal Justice Information Authority  
Civil Rights Compliance  
Methods of Administration**

**Purpose**

The Illinois Criminal Justice Information Authority (ICJIA) is committed to prohibiting discrimination in the workplace and in the delivery of services to ICJIA employees and ICJIA grantees. ICJIA and ICJIA grantees have a legal and contractual obligation to provide employment and grant-funded services in a discrimination-free manner. Accordingly, this document establishes the policy and procedure for ICJIA to follow regarding civil rights compliance. This policy covers the training of ICJIA employees and ICJIA grantees in the area of civil rights compliance and the process for filing a complaint of discrimination for an ICJIA employee; ICJIA grantee employees; or ICJIA grantee clients, customers, and program participants.

**Impermissible Discrimination Policy**

It is the public policy of the State of Illinois to secure for all individuals within Illinois the freedom from discrimination against any individuals because of his or her race, color, religion, sex, national origin, ancestry, age, order of protection status, marital status, physical or mental disability, military status, sexual orientation, or unfavorable discharge from military service in connection with employment. *775 ILCS 5/1-102(A)*. Employees should be treated equally regardless of race, color, national origin, sex, religion, disability, age, sexual orientation, and gender identity. Individuals have the right to participate in programs and activities funded with state funds regardless of race, color, religion, sex, national origin, ancestry, age, order of protection status, marital status, physical or mental disability, military status, or sexual orientation. Individuals have the right to participate in programs and activities funded with federal funds regardless of race, color, national origin, sex, religion, disability, age, sexual orientation, and gender identity.

ICJIA and ICJIA grantees have the legal and contractual obligation to comply with the following laws, as applicable:

- Title VI of the Civil Rights Act of 1964, as amended, which prohibits discrimination on the basis of race, color, and national origin in the delivery of services (42 U.S.C. § 2000d), and the DOJ implementing regulations at 28 C.F.R. pt. 42, subpart. C;
- The Omnibus Crime Control and Safe Streets Act of 1968, as amended, which prohibits discrimination on the basis of race, color, national origin, religion, and sex in the delivery of services and employment practices (42 U.S.C. § 3789d(c)(1)), and the DOJ implementing regulations at 28 C.F.R. pt. 42, subpart. D;
- The Violence Against Women Act of 1994, as amended, which prohibits discrimination on the basis of actual or perceived race, color, religion, national origin, sex, gender identity, sexual orientation, and disability in the delivery of services and employment practices (42 U.S.C. § 13925(b)(13));
- The Victims of Crime Act of 1984, as amended, which prohibits discrimination on the basis of race, color, national origin, religion, sex, and handicap in the delivery of services and employment practices (34 U.S.C. § 20110(e));
- The Juvenile Justice and Delinquency Prevention Act of 1974, as amended, which prohibits discrimination on the basis of race, color national origin, religion, and sex in the delivery of services and employment practices (42 U.S.C. § 5672(b)).
- Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination on the basis of disability in the delivery of services and employment practices (29 U.S.C. § 794), and the DOJ implementing regulations at 28 C.F.R. pt. 42, subpart. G;
- Title II of the Americans with Disabilities Act of 1990, which prohibits discrimination on the basis of disability in the delivery of services and employment practices (42 U.S.C. § 12132), and the DOJ implementing regulations at 28 C.F.R. pt. 35;
- Title IX of the Education Amendments of 1972, which prohibit discrimination on the basis of sex in educational programs (20 U.S.C. § 1681), and the DOJ implementing regulations at 28 C.F.R. pt. 54;
- The Age Discrimination Act of 1975, which prohibits discrimination on the basis of age in the delivery of services (42 U.S.C. § 6102), and the DOJ implementing regulations at 28 C.F.R. pt. 42, subpart. I;
- The DOJ regulations on the Equal Treatment for Faith-Based Organizations, which prohibit discrimination on the basis of religion in the delivery of services and prohibit

organizations from using DOJ funding on inherently religious activities (28 C.F.R. pt. 38).

- The Illinois Human Rights Act, 775 ILCS 5 *et seq.*;
- The Public Works Employment Discrimination Act, 775 ILCS 10 *et. seq.*;
- The Illinois Environmental Barriers Act, 410 ILCS 25 *et seq.*;
- The Illinois Personnel Code, 20 ILCS 415 *et seq.*;
- The Illinois Personnel Rules, 80 Ill. Admin. Code 301 *et seq.*; and
- AFSCME Master Contract 2012-2015 as amended.

### **Definitions**

AFSCME Master Contract—the collective bargaining agreement entered into between the State of Illinois and its employees who are members of the American Federation of State, County and Municipal Employees Council 31, AFL-CIO. The current version of the contract is the 2012-2015 contract.

Civil Rights Compliance Questionnaire (CRCQ) – is a questionnaire that grantees are required to submit that requires the grantee to provide details on their compliance with various federal civil rights laws, ensures that services are made available to people with limited English proficiency, and that services are provided independently from religious affiliation or participation in religious activities.

Complainant – the person or persons who initiate a discrimination complaint.

Department of Justice, Office of Justice Programs, Office for Civil Rights (OCR) – a federal governmental entity that is responsible for ensuring that all direct recipients and subrecipients of federal funds from the Department of Justice comply with all applicable federal civil rights law.

Equal Employment Opportunity Commission (EEOC)—A federal entity that is responsible for ensuring compliance with applicable federal anti-discrimination laws as they relate to the workplace. These include discrimination based on age, disability, equal pay/compensation,

genetic information, harassment, national origin, pregnancy, race/color, religion, retaliation, sex, and sexual harassment.

Grant Monitor or Grant Specialist – ICJIA employee who oversees the implementation of grants and is the point of contact between the grantee and ICJIA.

Grantee Employees – people who are employed by ICJIA’s grantees.

Grantee Clients—people who receive services provided by the grantee. Also referred to as program participants.

Illinois Criminal Justice Information Authority (ICJIA) – the state administrating agency for grants from the Department of Justice (DOJ) and State of Illinois.

ICJIA Employees—people employed by ICJIA. ICJIA employees who are covered by a collective bargaining agreement are covered by the AFSCME Master Contract.

ICJIA Civil Rights Officer (CRO) is currently Angie Weis and she can be reached at 312-793-8550. Any member of OGC may be designated as the CRO.

ICJIA’s Office of General Counsel (OGC) – ICJIA’s legal department, which is responsible for ensuring that the ICJIA is compliant with all state and federal laws. OGC will serve as the point of contact for ICJIA for all civil rights related matters.

Illinois Department of Human Rights (IDHR) – a state governmental agency responsible for ensuring that employers comply with the Illinois Human Rights Act.

## **Notification of Policy**

### **I. Grantee Notification**

ICJIA requires all grantees to notify employees and program participants of the grantee’s compliance with Federal, State, and local civil rights laws and the procedure for filing

discrimination complaints. This requirement is included in the grant agreement as well as the Civil Rights Compliance Questionnaire (CRCQ). Grantees are required to certify prior to grant execution that all employees are provided with an ICJIA-approved civil rights compliance training within the first quarter of the grant period. Upon request, ICJIA may also provide grantees with a sample template for notifying grantee employees and program participations for distribution and display at their facility.

## **II. ICJIA Notification**

ICJIA will notify its employees regarding prohibited activity and the procedures for filing a discrimination complaint with ICJIA or OCR by posting the notification on ICJIA's intranet and during the civil rights annual training. The training will include a component regarding prohibited discrimination and a component regarding the complaint procedure. ICJIA also posts the U.S. Equal Employment Opportunity Commission (EEOC) notice on the public bulletin board at the ICJIA office. ICJIA will also maintain a copy of this policy on its website.

## **Training**

### **I. Grantee Training**

Prior to contract execution, the grantee shall certify that all grantee employees will be provided with training regarding civil rights compliance within the first quarter of the period of performance. The Grantee employees shall participate in an ICJIA-approved civil rights training within the first quarter of the period of performance. ICJIA has preapproved the webinar provided by OCR, which can be found at <https://ojp.gov/about/ocr/ocr-training-videos/video-ocr-training.htm>. The Grantee shall provide proof of the training performed within the first quarter of the period of performance. ICJIA will verify compliance during site visits and/or desk reviews.

### **II. ICJIA Employee Training**

ICJIA will provide annual trainings to ICJIA staff regarding civil rights and discrimination. ICJIA will detail to all employees the complaint processes for ICJIA employees, grantee employees, and grantee program participants. The training will include instructions for ICJIA employees conducting site visits and grant review to verify grantee compliance with civil rights requirements. ICJIA may partner with IDHR or the Illinois Executive Inspector General

regarding conducting additional trainings. ICJIA may utilize material produced by OCR in developing its training.

## **Compliance**

### **I. Grantee Responsibilities**

Grantees are required to complete and obtain approval of a CRCQ prior to the execution of each grant. The CRCQ requires the grantee to explain how they are complying with civil rights laws. Grantee must have appropriate procedures in place for responding to complaints of discrimination, including procedures with respect to coordination, submission/receipt, training, notification, and investigation. Grantees are also required to provide an ICJIA-approved civil rights training to all employees within the first quarter of the grant period as a condition of their subgrant agreements.

All grantees will be required to notify employees and potential or existing program participants of impermissible discrimination and the procedure for submitting a complaint of such discrimination to ICJIA.

Failure by a grantee to follow Federal, State, and local civil rights laws may result in grant funds being withheld, a grant being terminated, or a grantee being debarred from submitting applying for or receiving grants in the future.

### **II. ICJIA Responsibilities**

ICJIA will include in the subgrant agreements a requirement for all subgrantees to have appropriate procedures in place for responding to complaints of impermissible discrimination.

ICJIA will ensure that OGC has approved the completed CRCQ prior to contract execution. If the grantee does not answer the questionnaire satisfactorily in the submitted CRCQ, OGC will send the grantee a letter listing the deficiencies. Depending on the response submitted, ICJIA may include specific conditions regarding civil rights compliance within the grant agreement. If OGC approves the questionnaire, OGC will send the grantee a letter stating that it is in compliance with civil rights laws for purposes of receiving funding from ICJIA.

Civil rights requirements will also be verified by a grant monitor during program site visits.

## **Complaint Procedures**

ICJIA's Office of General Counsel (OGC) shall serve as the coordinator of complaints alleging discrimination and civil rights violations. While OGC shall serve as the coordinator for all complaints regarding civil rights violations, OGC does not have the authority to investigate any alleged discrimination or civil rights violations; but rather, will refer the complaint to the appropriate body for investigation.

### **I. Grantee Employee Discrimination Complaints**

Grantee employees who believe that they have encountered discrimination in any term or condition of employment, including but not limited to hiring, selection, promotion, transfer, pay, tenure, discharge, or discipline may file a complaint with ICJIA, who will then forward the complaint to the IDHR, the OCR, and/or the EEOC for investigation. The filing of a complaint with ICJIA does not supersede or supplant of any other remedies available at law to the aggrieved party.

All complaints to ICJIA must be made in writing. ICJIA will only act on a written complaint. Complaint forms can be found at ICJIA's website or by contacting the ICJIA at 312-793-8550. Complaints may be submitted via the ICJIA website, mail, or email. Complaints may be submitted via the ICJIA website at <http://www.icjia.org/grants/grant-resources>. Complaints submitted via mail can be sent to: Illinois Criminal Justice Information Authority, Attn: Civil Rights Officer, 300 West Adams, Suite 200; Chicago, IL 60606. Complaints submitted via email can be sent to [CJA.CivilRightsOfficer@illinois.gov](mailto:CJA.CivilRightsOfficer@illinois.gov)

If a grantee employee contacts an ICJIA employee other than the CRO regarding allegations of discrimination, whether in person, in writing, or over the telephone, the ICJIA employee shall direct the grantee employee to complete a written complaint and submit it to the CRO. If an ICJIA employee receives a written complaint, she or he will forward the complaint to the CRO within three (3) business days.

Following the receipt of a written complaint, the CRO shall then forward the civil rights discrimination complaint to the IDHR/OCR/EEOC for investigation within five (5) business days of receiving the written complaint from the complainant. The CRO shall send the complainant a letter acknowledging receipt of the complaint and explaining that ICJIA forwarded the complaint to the IDHR/OCR/EEOC for investigation and resolution.

If a complainant submits a complaint about a grantee that receives federal funding, the CRO will inform the complainant that he or she may also file a complaint directly with the OCR at the following address: Office for Civil Rights; Office of Justice Programs; U.S. Department of Justice; 810 Seventh Street N.W.; Washington, DC 20531 or by visiting: <http://www.justice.gov/crt/complaint/>.

## **II. Grantee Program Participant Discrimination Complaints**

If a grantee's client, customer program participant, or consumer (“program participant”) believes that he or she has been discriminated against or that his or her civil rights have been violated by the grantee, the individual may file a complaint with ICJIA’s CRO, who will then forward the complaint to the IDHR or the OCR for investigation. Filing a complaint with ICJIA, does not supersede or supplant of any other remedies available at law to the aggrieved party.

All complaints to ICJIA must be made in writing. ICJIA will only act on a written complaint. Complaint forms can be found at ICJIA’s website or by contacting the ICJIA at 312-793-8550. Complaints may be submitted via the ICJIA website, mail, or email. Complaints may be submitted via the ICJIA website at <http://www.icjia.org/grants/grant-resources>. Complaints submitted via mail can be sent to: Illinois Criminal Justice Information Authority, Attn: Civil Rights Officer, 300 West Adams, Suite 200; Chicago, IL 60606. Complaints submitted via email can be sent to [CJA.CivilRightsOfficer@illinois.gov](mailto:CJA.CivilRightsOfficer@illinois.gov)

If a grantee program participant contacts an ICJIA employee other than the CRO regarding allegations of discrimination, whether in person, in writing, or over the telephone, the ICJIA employee shall direct the program participant to complete a written complaint and submit it to

the CRO. If an ICJIA employee receives a written complaint, s/he will forward the complaint to the CRO within three (3) business days.

If a grantee program participant contacts an ICJIA employee other than the CRO regarding allegations of discrimination, whether in person, in writing, or over the telephone, the ICJIA employee shall direct the grantee employee to complete a written complaint and submit it to the CRO. If an ICJIA employee receives a written complaint, s/he will forward the complaint to the CRO within three (3) business days.

Following the receipt of a written complaint, the CRO shall then forward the civil rights discrimination complaint to the IDHR/OCR/EEOC for investigation within five (5) business days of receiving the written complaint from the complainant. The CRO shall send the complainant a letter acknowledging receipt of the complaint and explaining that ICJIA forwarded the complaint to the IDHR/OCR for investigation and resolution.

If a complainant submits a complaint about a grantee that receives federal funding, the CRO will inform the complainant that he or she may also file a complaint directly with the OCR at the following address: Office for Civil Rights; Office of Justice Programs; U.S. Department of Justice; 810 Seventh Street N.W.; Washington, DC 20531 or by visiting:

<http://www.justice.gov/crt/complaint/>.

### **III. ICJIA Employee Discrimination Complaints**

If an ICJIA employee believes that he or she has been discriminated against or that his or her civil rights have been violated by ICJIA, the ICJIA employee may file a complaint in accordance with the grievance procedures as outlined in the Illinois Personnel Code and Illinois Personnel Rules. If the ICJIA employee is covered by the AFSCME Master Contract, the employee may file a grievance in accordance with the AFSCME Master Contract. An ICJIA employee may also file a complaint directly with the EEOC or OCR.

Upon the filing of a complaint by an ICJIA employee, the CRO will inform the complainant that he or she may also file a complaint directly with the with the OCR at the following address:

Office for Civil Rights; Office of Justice Programs; U.S. Department of Justice; 810 Seventh Street N.W.; Washington, DC 20531 or by visiting: <http://www.justice.gov/crt/complaint/>.