

**Illinois Criminal Justice Information Authority
Civil Rights Policy and Procedures for
Receiving Complaints Against Grantees**

Purpose

The Illinois Criminal Justice Information Authority (ICJIA) is committed to prohibiting discrimination in the grant-funded workplace and in the delivery of services by ICJIA grantees. 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 written policy and procedure for ICJIA employees to follow when they receive a complaint of discrimination from grantee employees and grantee clients, customers, and program participants.

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, and disability. And, individuals have the right to participate in programs and activities funded with state or federal 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.

Grantees have the legal and contractual obligation (see the Nondiscrimination Section of your Interagency Agreement) to comply with the following laws, as applicable:

- Title VI of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color, or national origin in the delivery of services. *42 U.S.C. § 2000d*;
 - U.S. Department of Justice (DOJ) implementing regulations can be found at 28 C.F.R. Part 42, Subpart C;
- The Omnibus Crime Control and Safe Streets Act of 1968, which prohibits discrimination on the basis of race, color, national origin, religion or sex in the delivery of services and employment practices. *42 U.S.C. § 3789d(c)(1)*;
 - DOJ implementing regulations can be found at 28 C.F.R. Part 42, Subpart D;
- 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*;
 - DOJ implementing regulations at 28 C.F.R. Part 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;
 - DOJ implementing regulations can be found at 28 C.F.R. Part 35;
- Title IX of the Education Amendments of 1972, which prohibits discrimination on the basis of sex in education and training programs. 20 *U.S.C.* § 1681;
 - DOJ implementing regulations can be found at 28 C.F.R. Part 54;
- The Age Discrimination Act of 1975, which prohibits discrimination on the basis of age in the delivery of service. 42 *U.S.C.* § 6102;
 - DOJ implementing regulations can be found at 28 C.F.R. Part 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 prohibits organizations from using DOJ funding for inherently religious activities. 28 C.F.R. Part 38;
- The Victims of Crime Act of 1984, which prohibits discrimination on the basis of race, color, national origin, religion, sex, or disability in the delivery of services and employment practices. 42 *U.S.C.* § 10604(e);
- The Juvenile Justice and Delinquency Prevention Act of 1974, which prohibits discrimination on the basis of race, color, national origin, religion, or sex in the delivery of services and employment practices. 42 *U.S.C.* § 5672(b);
 - DOJ implementing regulations can be found at 28 C.F.R. Part 31;
- 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.*

Definitions

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 ensures that services are provided independently from religious affiliation or participation in religious activities. This questionnaire will be completed on an annual basis by all grantees and the grantees’ answers will be verified during ICJIA’s site visits.

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

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.

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

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

Illinois Human Rights Act (77 ILCS 5/2-101 et seq.) – prohibits discrimination based on race, color, religion, sex, national origin, ancestry, citizenship status (with regard to employment), age (40 and over), marital status, familial status (with regard to housing), arrest record, physical and mental disability, military status, sexual orientation and unfavorable discharge from military service.

Office for Civil Rights (OCR) – a division within the Department of Justice 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.

ICJIA’s Office of General Counsel (OGC) – ICJIA’s legal department, which is responsible for ensuring that the ICJIA grantee is compliant with all state and federal laws. OGC will serve as the point of contact for ICJIA with OCR, and for ICJIA with the Department of Human Rights.

Complaint Procedures

ICJIA’s Office of General Counsel (OGC) shall serve as the coordinator of complaints alleging discrimination and civil rights violations. While the OGC shall serve as the coordinator for all complaints regarding civil rights violations, the 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. ICJIA’s Civil Rights Officer (CRO) is currently Angie Weis and she can be reached at 312-793-8550.

Discrimination complaints from grantee employees

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 for investigation. Complaints of discrimination generally must be made to the IDHR within 180 days of the alleged discrimination (or within one year for allegations of discrimination under the Omnibus Crime Control and Safe Streets Act of 1968).

If a grantee employee believes that he or she has been discriminated against by the grantee, the employee may file a complaint with the CRO. Complaint forms can be found at ICJIA's website or by contacting the CRO at 312-793-8550. Complaints may be filed via the web, mail, or email.

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 employee shall forward the complaint to the proper grant specialist within three (3) business days. The proper grant specialist is the grant specialist assigned to the grantee who is the subject of the complaint. The Associate Director of the Federal and State Grants Unit (FSGU) or a program administrator can assist in determining the proper grant specialist. The grant specialist shall assist the individual in completing ICJIA's Civil Rights Complaint Form. The grant specialist shall forward the completed complaint to the CRO within two (2) business days after the form is completed, and notify the complainant once the complaint is forwarded to the CRO.

The CRO shall then forward the employment discrimination complaint to the IDHR for investigation within five (5) business days of receiving the complaint from the complainant or grant specialist. The CRO shall send the complainant a letter acknowledging receipt of the complaint and explaining that ICJIA forwarded the complaint to the IDHR for investigation. In addition, the CRO will inform the complainant that he or she may also file a complaint with the local office of the United States Equal Employment Opportunity Commission.

The CRO will forward the complaint to one of the following addresses:

CHICAGO OFFICE	SPRINGFIELD OFFICE	MARION OFFICE
100 W. Randolph Street 10th Floor Intake Unit Chicago, IL 60601 (312) 814-6200 (866) 740-3953 (TTY) (312) 814-1436 (FAX)	222 South College Room 101-A Intake Unit Springfield, IL 62704 (217) 785-5100 (866) 740-3953 (TTY) (217) 785-5106 (FAX)	2309 West Main Street Suite 112 Intake Unit Marion, IL 62959 (618) 993-7463 (866) 740-3953 (TTY) (217) 785-5106 (FAX)

If the grantee that is the subject of the complaint is receiving funding from the DOJ through ICJIA, the CRO will inform the complainant that he or she may also file a complaint with the OCR at the following address: U.S. Department of Justice, Civil Rights Division; 810 Seventh Street N.W.; Washington, DC 20531, or by visiting: <http://www.justice.gov/crt/complaint/>, or by calling (202) 514-3847 or (888) 736-5551. The CRO will also notify the OCR, in writing, that the complaint has been forwarded to the IDHR.

Service Discrimination Complaints

If an individual receiving services from a grantee believes that he or she has been discriminated against or that his or her civil rights have been violated, the individual may file a complaint with the CRO. Complaint forms can be found at the Authority's website or by contacting the CRO at 312-793-8550. Complaints may be filed via the web, mail, or email.

If an individual receiving services from a grantee contacts an ICJIA employee, other than the CRO, regarding allegations of discrimination in services, whether in person, in writing, or over the telephone, the employee shall forward the complaint to the proper grant specialist within three (3) business days of receiving the complaint. The proper grant specialist is the grant specialist assigned to the grantee who is the subject of the complaint. The Associate Director of FSGU or a program administrator can assist in determining the proper grant specialist. The grant specialist shall assist the individual in completing ICJIA's Civil Rights Complaint Form. The grant specialist shall forward the completed complaint to the CRO within two (2) business days after the form is completed, and notify the complainant once the complaint is forwarded to CRO.

The CRO shall then forward the discrimination complaint to the IDHR for investigation within five (5) business days of receiving the complaint from the complainant or grant specialist. The CRO shall send the complainant a letter acknowledging receipt of the complaint and explaining that ICJIA forwarded the complaint to the IDHR for investigation.

If the grantee that is the subject of the complaint is receiving funding from the DOJ through ICJIA, the CRO will inform the complainant that he or she may also file a complaint 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/>. The CRO will also notify the OCR, in writing, that the complaint has been forwarded to the IDHR.

Notification

ICJIA will notify clients, customers, program participants, and consumers of prohibited activity, along with the procedures for filing a discrimination complaint with ICJIA or OCR by posting the notification on ICJIA's website. ICJIA will also require all grantees to notify clients, customers, program participants, and consumers of the procedure for filing discrimination complaints. ICJIA distributes a Civil Rights Compliance Questionnaire (CRCQ) annually which requires the grantee to explain how they are complying with civil rights laws. The completed CRCQ is reviewed by the OGC. If the grantee does not answer the questionnaire satisfactorily, OGC will send the grantee a letter listing the deficiencies. 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. The approval will be valid for one year.

Training

ICJIA will provide annual webinar trainings to all grantees regarding recent changes in civil rights law and ICJIA's procedure for handling issues of discrimination and civil rights violations. In these trainings, ICJIA will instruct grantees that if a grantee's employee, client, customer, or program participant files a discrimination complaint directly with the grantee, the grantee shall forward the complaint to ICJIA for processing within five (5) business days of receiving the complaint. The annual webinar will be recorded and archived on ICJIA's website for easily accessible viewing. All grantees will be mandated to certify that they have received training.

Updates on civil rights law and the proper procedure for handling complaints will be added to the training agenda ICJIA provides annually to grant staff. In addition, ICJIA will have an annual training for all non-grant staff on the procedures for processing any civil rights complaints.

ICJIA will maintain on its website a copy of this policy. The website will have both a downloadable complaint form that can be completed manually and forms that can be completed and filed electronically. Upon request, ICJIA will provide grantees printed copies of the procedure for distribution and display at their facility. Finally, all of ICJIA's grantees will be required to complete a Civil Rights Compliance Questionnaire annually.

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