

IDHS/Serve Illinois

Nondiscrimination and Harassment Policy

Requirements at: [§§ 175 and 176\(f\) of the NCSA](#), [45 CFR § 2540](#), [45 CFR § 2522.100\(f\)](#), AmeriCorps General Terms and Conditions and the State of Illinois Department of Human Services Employee Handbook.

Policy

IDHS/Serve Illinois prohibits discrimination against persons in classes protected by the law who volunteer for or participate in an activity or program sponsored under the authority of IDHS/Serve Illinois.

Pursuant to federal law and regulations, no qualified individual with a disability shall, on the basis of disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any public entity.

Any benefits of an IDHS/Serve Illinois program, service, or activity are available to all without regard to race, color, national origin, sex, age, religion, sexual orientation, disability, gender identity or expression, political affiliation, marital or parental status, pregnancy, genetic information, and military service.

All programs and IDHS/Serve Illinois stakeholders must be free from all forms of discrimination and harassment. IDHS/Serve Illinois' policy and the law prohibit reprisal for engaging in a protected activity (e.g., reporting discrimination or harassment, participating in investigations of such allegations, or intervening to assist those who are subjected to prohibited behaviors), and it will not be tolerated. This policy applies to all applicants, candidates, members, staff, stakeholders, and volunteers who seek to volunteer or serve with or receive services from an activity or program sponsored by IDHS/Serve Illinois.

Definitions

- A. Discrimination is when individuals are treated less favorably or differently than others because of their affiliation in a protected class. This can occur when a person is denied the opportunity to participate in or benefit from the services by a public entity. Discrimination can also occur when done in reprisal for opposing or participating in the discrimination complaint process when such behavior has the purpose or effect of interfering with service performance or creating an intimidating, hostile, or offensive environment.

Harassment is any unwelcome conduct that is based on any of the protected categories: race, color, national origin, sex, age, religion, sexual orientation, disability, gender identity or expression, political affiliation, marital or parental status, pregnancy, genetic information, and military service. Harassment may include verbal or physical conduct relating to an individual's protected classification.

Procedures

Reporting

Discrimination on the basis of a disability

- a. Those who believe they have been discriminated against on the basis of a disability under the Americans with Disabilities Act ("ADA") with regard to programs, services, or activities sponsored by Serve Illinois shall contact the IDHS Office of Community and Positive Youth Development ADA Liaison to report allegations of disability discrimination in accordance with the Serve Illinois Grievance Procedure which follows the ADA procedures.
- b. The IDHS Office of Community and Positive Youth Development ADA Liaison shall also notify the appropriate departmental personnel of any claims of disability discrimination alleged to have occurred in an activity, program, service, or work environment sponsored by IDHS/Serve Illinois.

Other discrimination or harassment

Volunteers

- a. Volunteers or employees who believe they have been subjected to discrimination or harassment (other than on the basis of a disability) within a program should report such concerns to his/her program volunteer coordinator within thirty (30) days of the alleged discriminatory or harassing conduct. If this is inappropriate, the volunteer may contact the IDHS Office of Community and Positive Youth Development ADA Liaison. If this method is not preferred, the volunteer may contact the Serve Illinois Executive Director.

Members or Participates of Services

- a. Those participating in or receiving services of an activity, program, or service should report incidents of discrimination or harassment to the IDHS Office of Community and Positive Youth Development ADA Liaison within thirty (30)

days of the alleged discriminatory or harassing conduct. If this is inappropriate, the volunteer may contact the Serve Illinois Executive Director.

Investigation

- a. When any of the persons receives a report of discrimination or harassment, he/she shall immediately begin investigating the claims of discriminatory or harassing conduct. Such investigation may include private interviews of the members, staff, stakeholders, and volunteers making the report, all persons who are the subject of the complaint, and any witnesses. All are required to cooperate in any investigation.

The person to whom the report is made shall also notify the appropriate departmental personnel of any claims of discrimination or harassment alleged to have occurred in an activity, program, service, or workplace affiliated with IDHS/Serve Illinois.

A written record of the investigation shall be maintained until December 31, 2031. The complainant shall be notified in writing as to whether the complaint is valid within five (5) business days of the conclusion of the investigation.

- b. If the investigation reveals the complaint is valid, prompt action shall be taken to effectively address the complaint, appropriate measures shall be implemented to remedy the situation, and the complainant shall be promptly notified of such action.

If the investigation reveals the complaint is not valid, or if an appropriate resolution is not able to be implemented, the complainant may file a written request with the Serve Illinois Executive Director for review of the decision within ten (10) business days of notification of the results of the investigation. If this is not appropriate, the written request may be filed with the IDHS Office of Community and Positive Youth Development ADA Liaison.

- c. For AmeriCorps Programs Only:

If a resolution to the allegation is not reached, the complainant shall be notified in writing of the right to file a complaint of discrimination with AmeriCorps within fifteen (15) calendar days of receipt of such notice; see [45 CFR § 1225](#).

Representation

Individuals who believe they have been discriminated against or are the subject of harassment have the right to be represented and assisted in all stages of these procedures

by an attorney or representative of his/her own choosing. A complainant must inform Serve Illinois if legal counsel is retained.

Complaints

1. In addition to making a report as specified in Section 3.a., individuals who believe they were subject to discrimination in violation of the law may file a complaint with the Illinois Attorney General's Civil Rights Bureau via online or by phone at:

Website: [Civil Rights Bureau](#)

Toll-free phone: 1-877-581-3692

2. Individuals may also directly contact the federal agency which provides grant funds to IDHS/Serve Illinois to sponsor a particular program or activity if they believe discrimination against themselves or another has occurred, or if they are seeking advice regarding potential discrimination within a specific program. This section contains the contact information for federally funded programs operated by IDHS/Serve Illinois.

- a. AmeriCorps Programs Contact Information

AmeriCorps Office of Civil Rights
250 E Street, SW
Washington, DC 20525
Phone: (202) 606-7503
TTD: (202) 606-5256
Email: eo@cns.gov

Complaints to AmeriCorps for discrimination occurring within one of the federally funded programs being operated by IDHS/Serve Illinois must be made within 45 days of an occurrence of discrimination or harassing conduct to initiate an inquiry.

Non-retaliation

No individual shall be penalized or otherwise retaliated against for bringing forth a good faith discrimination or harassment complaint as set forth in this policy. Any individual who feels that he/she has been subjected to retaliatory conduct shall immediately report such conduct to the Serve Illinois Executive Director or the IDHS Office of Community and Positive Youth Development ADA Liaison.

Violation of Policy

Any members, staff, stakeholders, or volunteers who engage in unlawful discriminatory or harassing behavior, or who otherwise violate this policy, shall be subject to discipline, up to and including termination.

Any member or volunteer of a program sponsored by IDHS/Serve Illinois who engages in unlawful discriminatory or harassing behavior will be removed from such program and may be denied the opportunity to serve as a member or volunteer for an AmeriCorps program supported by IDHS/Serve Illinois in the future.

Serve Illinois Contact Information for Reports of Discrimination and Harassment

Subject line should include: Discrimination and Harassment Report

Name: Andres Fernandez
Title: Executive Director
Address: 401 S. Clinton
City, State, Zip: Chicago, IL 60067
Phone: 312-793-3152
Cell: 773-802-2790
Email: Andres.Fernandez@illinois.gov

Name: John Foreman
Title: Bureau Chief
Address: 100 S. Grand Ave East
City, State, Zip: Springfield, IL 62704
Phone: 217-785-9686
Email: John.Foreman2@illinois.gov

Information about Compliance with this Policy

Serve Illinois records:

You may make request regarding our compliance with nondiscrimination requirements through a request for records through the Illinois Attorney General's Office under the Freedom of Information Act (FOIA). Please visit the [Illinois Attorney General's website](#) for more information about FOIA requests.

You may submit a request for public records through the online Public Records Center at: [https://illinoisattorneygeneral.gov/ga.us/WEBAPP/rs/\(S\(d20iwsumstefk2m3h5oauqvz\)\)/SupportHome.aspx](https://illinoisattorneygeneral.gov/ga.us/WEBAPP/rs/(S(d20iwsumstefk2m3h5oauqvz))/SupportHome.aspx);

Contact by mail or email:

OAG FOIA Officer – Elizabeth Ptacek
Office of the Attorney General
500 S. 2nd Street
Springfield, Illinois 62701
Phone: 217-785-9266
Email: FOIAofficer@ilag.gov

AmeriCorps records:

AmeriCorps has one centralized FOIA office for the entire agency in the Office of the General Counsel. It is also responsible for processing Privacy Act requests. FOIA and Privacy Act requests can be sent to AmeriCorps in five ways:

- 1) By email (preferred) to FOIA@cns.gov.
- 2) By mail to:
AmeriCorps
Office of the General Counsel
Attn: Freedom of Information Act Officer
250 E Street, SW
Washington, DC 20525
- 3) Because Federal mail goes through a security screening process, it might take up to several weeks for your letter to reach us.
- 4) By fax to (202) 606-3467. If you send your request by fax, make sure it contains your return address and a telephone contact number or email address.
- 5) In person: You may deliver a FOIA request by hand between 9:00 a.m. and 4:00 p.m., Monday through Friday, except on Federal holidays.
- 6) Through the National FOIA Portal at FOIA.gov.

Please visit the [AmeriCorps page on FOIA](#) for more information about a request.