

DEPARTMENT OF HUMAN RIGHTS

JAMES L. BENNETT, DIRECTOR

INSTITUTE FOR TRAINING AND DEVELOPMENT

CHRISTINA M. SMITH, PHD, DIRECTOR

Racism-Free Schools Training



Course Guide

v.2025-07.1

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Welcome

This training is developed by the Illinois Department of Human Rights, in partnership with the University of Illinois Urbana-Champaign College of Education, and Ed Leaders Network.

Course Objectives

The goal of this training is to prevent discrimination and harassment based on race, color, and national origin, and retaliation within schools. To achieve this goal, by the end of this training, you will be able to:

1. Define, describe, and identify bullying, harassment, and discrimination on the basis of race, color, and national origin;
2. Review policies and practices that are, and must be, in place to prevent and respond to instances of bullying, harassment, and discrimination on the basis of race, color, national origin, and;
3. Imagine your role in preventing and responding to bullying, harassment, and discrimination on the basis of race, color, and national origin.

Introduction

The Racism-Free Schools training is required for all elementary and secondary education representatives at least once every two years and as a component of all new employee training programs. School districts may choose to develop or use another training program that equals or exceeds the minimum training standards outlined in **Section 5A-103 of the Illinois Human Rights Act (IHRA)**.

The Racism-Free Schools training is developed for teachers, staff, and administrators on how to prevent harassment and discrimination based on race, color, and national origin in elementary and secondary education

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school settings. The training is developed in partnership with the **University of Illinois Urbana-Champaign College of Education**.

- The Racism-Free Schools Law came to be because of the commitment and efforts of educators around the state who knew that we needed to make our schools safer places to teach and learn.

Instructions: Please take time to **reflect** carefully on each question. Use the space provided to record your thoughts. These **reflection questions** are interwoven throughout the training to support a deeper engagement with concepts of race, racism, and related topics as they apply to both your personal and professional life.

Lesson 2 of 15

Definitions & Key Terminology

Are you able to recognize bullying, harassment, and discrimination when they occur? In this section, we will introduce these essential concepts, along with clear definitions of race, color, and national origin. Through real-life school scenarios, we will learn to identify these behaviors within our schools, enabling us to better understand the experiences and trauma they cause. This knowledge will also prepare us to respond more effectively from a personal or bystander perspective.

We will also delve into how different aspects of identity intersect and shape the experiences of racism in our schools.

This work is challenging. Analyzing and understanding the complexities of racist incidents is not easy, and without a shared understanding, the harm caused can be dismissed, and resolutions may be overlooked.

According to the National Center for Education Statistics, 20% of all K-12 students experience some type of bullying. Black students are significantly overrepresented in that number. Black students make up nearly 40% of the students who report being bullied, even though they comprise only 15% of our student population.

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These statistics have serious consequences. Students who experience discrimination are more likely to report stress, depression, school avoidance, and other behavioral problems.

We must do better for our students and for all of us who work in schools.

We are all here to ensure that our schools are safe places to learn and teach. Urgent calls for safety drove the creation of the Racism-Free Schools Law and having shared language for identifying and describing racist incidents of bullying, harassment, and discrimination is a critical first step toward actualizing this goal.

PAUSE AND REFLECT

Think back to a time when you have felt uncomfortable, out of place, or excluded, or to a time when you have been a bystander to someone else experiencing these feelings. What were the roots of the experience?

Definitions and Key Terminology

- ✓ **Race** is a term used to describe and categorize people into various social groups based on perceived shared characteristics like skin color, eye color, nose shape, lip size, hair, texture, protective hairstyles such as braids, locks, and twists, and genetic heredity.¹ Race is not a valid biological concept, but it is a real social and political construction that gives or denies benefits and privileges.

Race designations and categorizations change over time. Here in the US, some groups that are considered “white” in the United States today were considered “non-white” in previous eras in census data, mass media, and popular culture.

- ✓ **Color** is a term described as pigmentation (the natural tint or color of any living thing), complexion, or skin shade or tone.²
- ✓ **National Origin** refers to the country or geographic area where a person or their ancestors were born. This includes not only current citizenship but also heritage or cultural identification.³

Forms of Discrimination Associated with Race, Color, and National Origin

Racism is defined as racial prejudice supported by social and institutional power designed to uphold a system of advantage and oppression based on race. Racism involves one group having the power to carry out systematic discrimination through the institutional policies and practices of society by shaping the cultural beliefs and values that support those racist policies and practices.

Racism, defined as racial prejudice reinforced by social and institutional power, creates a system of advantage and oppression based on race. This

¹ <https://witnesslips.ilga.gov/legislation/ilcs/ilcs3.asp?ChapterID=64&ActID=2266>

² <https://www.eeoc.gov/laws/guidance/facts-about-racecolor-discrimination>

³ <https://witnesslips.ilga.gov/legislation/ilcs/ilcs3.asp?ChapterID=64&ActID=2266>

manifests in various forms, such as microaggressions, bullying, harassment, and discrimination, often affecting students from underrepresented groups. Other groups, such as American Indian and Alaska Native youth, are similarly overrepresented in cases of racial bullying. Educators play a critical role in recognizing and addressing these issues to create safer and more inclusive learning environments.

Colorism is discrimination, that can be experienced both within and outside of one's race. In educational settings, studies show that students with lighter skin are often treated more favorably by teachers and administrators, impacting their academic experiences and self-esteem. Educators must be aware of these biases to create an inclusive and equitable environment.

National Origin: Xenophobia is a strong fear or dislike of people or things that are perceived as foreign or strange. It's based on the idea that there's a conflict between an in-group and an out-group. This can be demonstrated as hostility toward immigrants, but it can also manifest as hatred toward members of another tribe, culture, or religion.

A person does not have to be from another place or culture to become a target for xenophobia. People can distrust or hate others based purely on assumptions about their accent, appearance, or behavior. Examples of targets may include, among others: immigrants; refugees; religious minorities; and people from different cultures.

Understanding Racism in Education

Racism, defined as racial prejudice reinforced by social and institutional power, creates a system of advantage and oppression based on race. This manifests in various forms, such as microaggressions, bullying, harassment, and discrimination, often affecting students from underrepresented groups. Other groups, such as American Indian and Alaska Native youth, are similarly overrepresented in cases of racial bullying. Educators play a critical

role in recognizing and addressing these issues to create safer and more inclusive learning environments.

For further resources, explore the [School Counselors Standards in Practice](#) and [Ten Principles for Talking About Race in Schools](#).

Understanding Colorism in Education

Colorism is a form of prejudice based on skin tone and other physical traits such as hair texture, eye color, nose shape, and lip size. Unlike racism, which occurs across different racial groups, colorism can be experienced both within and outside of one's own race. This creates additional layers of discrimination. In educational settings, studies show that students with lighter skin are often treated more favorably by teachers and administrators, impacting their academic experiences and self-esteem. Educators must be aware of these biases to create an inclusive and equitable environment.

Understanding Xenophobia in Education

Xenophobia is a strong fear or dislike of people or things that are perceived as foreign or strange. It's based on the idea that there's a conflict between an in-group and an out-group.⁴ This can be demonstrated as hostility toward immigrants, but it can also manifest as hatred toward members of another tribe, culture, or religion.⁵

A person does not have to be from another place or culture to become a target for xenophobia. People can distrust or hate others based purely on assumptions about their accent, appearance, or behavior. Examples of targets may include among others: immigrants; refugees; religious minorities; and people from different cultures.⁶

⁴ <https://dictionary.cambridge.org/dictionary/portuguese-english/xenofobia#:~:text=xenophobia%20%5Bnoun%5D%20a%20strong%20fear,of%20people%20from%20other%20countries>.

⁵ <https://www.medicalnewstoday.com/articles/xenophobia#types>

⁶ <https://www.medicalnewstoday.com/articles/xenophobia#types>

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For more detailed guidance and additional resources, check out the [Colorism 101 Reference for Educators](#)

National Origin: Barriers and Needed Supports

This section will focus on two key areas: dismantling barriers to enrollment and registration and safeguarding access and opportunities for students learning English. **It should be noted that the examples within this section may violate the law and some of ISBE's regulations.**

Barriers Based on Immigration Status

- Refusing to enroll students based on their immigration status or national origin.
- Requiring certain information in the registration process that prevents undocumented or other immigrant students from enrolling, such as social security numbers, proof of citizenship, or original birth certificates, and refusing to consider alternative documentation.

Barriers to Accessing Public Education

- Steering or diverting recent immigrants away from their public schools and into segregated alternative programs that provide fewer resources and services.
- Failing to remove language barriers in the registration process for parents who have limited English proficiency, and who need translation or interpretation services.

Support English Learners and Students with Disabilities

- Ensure teachers working with English Learners are properly qualified and trained.
- Provide students who are both English Learners and students with disabilities with all the services and supports they are entitled to.

Support English Learners in Achieving Academic Success

- Provide English Learners with appropriate instruction in the English language.
- Provide services that permit English Learners to participate in core content classes, such as math, science, or social studies.
- Properly identify students who need programs or services for learning the English language.

Discrimination against members of a national origin group includes discrimination based on:

1. *Ethnicity*

Refers to shared group characteristics such as culture, language, geolocation, and heritage. Discrimination based on ethnicity involves unfair treatment or prejudice against individuals or groups due to their real or perceived ethnic background.

2. *Physical, Linguistic, or Cultural Traits*

Discrimination based on national origin involves treating individuals or groups unfavorably due to their real or perceived physical, cultural, or linguistic characteristics or a name that identifies that person's national origin.

Discrimination based on national origin includes:

Perception: Discrimination based on the belief that an individual (or their ancestors) is from one or more countries or belongs to one or more particular national origin groups.

Association: Discrimination against an individual because of their association with someone of a particular national origin. For example, it is unlawful to discriminate against a person because they are married to or have a child with someone of a different national origin or ethnicity.

Citizenship status: Discrimination based on citizenship status if it has the purpose or effect of discriminating based on national origin.

Biases and Prejudice:

Explore various types of bias that may affect educational environments. Each section presents a scenario that invites you to reflect on the different forms of bias.

1. Continuum of Bias

Bias exists on a continuum, from unconscious implicit bias to openly expressed explicit bias, with prejudice and microaggressions in between.

2. Implicit Bias

In a classroom setting, some students receive more attention unintentionally due to unconscious biases. Implicit bias refers to unconscious attitudes that subtly shape our actions and can lead to unintentional exclusion.

3. Prejudice

A teacher expresses doubt about certain students' abilities based on stereotypes rather than evidence. Prejudice involves negative judgments about groups based on stereotypes, affecting fair treatment.

4. Microaggressions

A student asks another, 'Where are you really from?' implying they don't belong. Microaggressions are subtle, often unintentional, remarks that can make others feel excluded.

5. Explicit Bias

Explicit bias includes openly held beliefs that lead to unequal treatment and discrimination.

6. Impact of Bias

Bias in education can result in systemic inequities that affect learning opportunities and outcomes.

Recognizing Microaggressions and the Messages

Micro-assaults

Theme	Microaggression	Message
Verbal	"Name-calling and epithets, such as 'Oriental,' 'Colored,' 'N-word,' 'Thug,' and 'Gang Involved.' When a person in a car shouts a slur from the car and speeds away.	You are an outsider
Nonverbal	Crossing the street or clutching a handbag in the presence of certain individuals	You are dangerous
Environmental	When LGBTQIA individuals or couples are surrounded as a form of intimidation, and/or pretending to have “friendly” conversations. Other visual offensive signs and displays.	You don't belong here. You are not safe.

Micro-insults

Theme	Microaggression	Message
Criminality/Assumptions of Criminal Status: A person of color is presumed to be dangerous, criminal, or deviant based on their race.	A person clutches their purse or checks their wallet as a Black or Latinx person approaches or passes. A store owner follows a customer of color in retail businesses.	You are dangerous
Alien in Own Land: When Asian Americans and Latinx Americans are	• “Where are you from?” • “Where were you born?”	You are not American. You are a foreigner.

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assumed to be foreign-born.	• “You speak good English.” A person asking an Asian American to teach them words in their “native language.”	
Pathologizing Cultural Values / Communication Styles: The notion that the values and communication styles of the dominant/white culture are ideal.	Asking a Black person: “Why do you have to be so loud/animated? Just calm down.” To an Asian or Latinx person: “Why are you so quiet? We want to know what you think. Be more verbal. Speak up more.” Dismissing an individual who brings up race/culture in a work/school setting.	Integrate into what is considered an acceptable culture. Leave your cultural baggage outside.
Ascription of Intelligence: Assigning intelligence to a person of color based on their race or ethnicity.	• “You are a credit to your race or your people.” • “You are so articulate.” Ask an Asian person to help with a math or science problem.	People of particular groups are thought to be less- intelligent. All Asians are stereotyped about their levels of proficiency.
Myth of Meritocracy: Statements that assert that race does not play a role in life successes.	• “I believe the most qualified person should get the job.” • “Everyone can succeed in this society if they work hard enough.”	Particular people or groups are given extra or unfair benefits because of their group identity. People who are not able to succeed are lazy

		and incompetent and need to work harder.
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Micro-invalidations

Theme	Microaggression	Message
Color Evasiveness: Statements that indicate that a person does not want to or needs to acknowledge race and ethnicity and associated inequities. ** The term 'color blindness,' while conceptually important, has been criticized by scholars in critical disability studies for its use of ableist language. They have suggested 'color evasiveness' as an alternative.	• "When I look at you, I don't see color." • "There is only one race, the human race." • "America is a melting pot." "I don't believe in race." Denying the experiences of individuals by questioning the credibility/validity of their stories.	An individual's culture and identity are not acknowledged. An individual's lived experiences are minimized or devalued.
Environmental Microaggressions: Macro-level microaggressions are more apparent on systemic and environmental levels.	Naming of college and university buildings, and public institutions. Systemic barriers experienced by individuals with disabilities. Funding school systems based on taxes, based on neighborhood and community resources.	Individual institutional, and broader social and cultural acceptances. Persons with a disability are an afterthought when considering accessibility and

		equity at all levels of institutional and social policies and procedures. Tax-based inequities based on region and communities.
How to offend without really trying	• “Indian giver.” • “That’s so gay.” • “She welshed on the bet.” • “You people ...” • “We got gypped.” She was imitating accents or dialects. Stigmatizing limited English proficiency.	

Adapted from: Wing, Capodilupo, Torino, Bucceri, Holder, Nadal, Esquilin (2007). Racial Microaggressions in Everyday Life: Implications for Clinical Practice. *American Psychologist*, 62, 4, 271-286.

Key Strategies to Address Racism, Colorism, and Xenophobia

1. Create Space

Create space(s) for learning about racism, colorism, and xenophobia. Make the learning local and personal. Understand how these terms are impacting people at your school or district to consistently promote environments of safety and inclusion.

2. Develop Commitment

Develop commitments related to racism, colorism, and xenophobia that hold your school community accountable.

3. Engage Support

Engage in efforts to ensure that the pedagogical, curricular, and shared spaces within your school are reflective of multiple identities and abilities.

4. Long Term

Know that this work is long-term and will not be resolved in one session, through one guest speaker, or by way of one memo.

Additional Tools for Responding to Microaggressions

Micro-Interventions and Tools for Difficult Conversations

- Ask clarifying questions to assist with understanding intentions.
- Come from curiosity, not judgment.
- Tell what you observed as a problematic fact.
- Impact exploration: ask for, and/or state, the potential impact of such a statement or action on others.
- Own your thoughts and feelings around the impact.

Open the Front Door Technique

- **Observe:** Describe clearly and succinctly what you see happening.
- **Think:** State what you think about it.
- **Feel:** Express your feelings about the situation.
- **Desire:** Identify the desired outcome.

Detour Spotting is used by an individual to avoid or deflect personal responsibility when confronted with examples of a harmful practice, or, behavior. The Detour Spotting concept and examples are offered as one tool for navigating difficult conversations.

- “I can’t hear you if you are angry.”
- “You’re being overly sensitive.”
- “I feel (unsafe, judged, attacked, abused, etc.) in response to a person of color pointing out being harmed.”
- Tone policing: “I will only talk if everyone is respectful.”
- “When are we going to stop talking about racism and get to the real work?”
- “I can’t possibly be racist because I am partnered with/parent to a person of color.”

PAUSE AND REFLECT

How might your understanding of race, racism, color, colorism, national origin, and xenophobia impact and show up in your personal and professional life?

Lesson 3 of 15

The Racism-Free Schools Law Builds on Years of Existing Legislative Protections

Civil Rights Act of 1964

Basic rights and freedoms ensure equal access to legal, social, and political opportunities regardless of race, sex, or other characteristics.

Illinois Human Rights Act

Enacted in 1979, it protects individuals in Illinois from discrimination in employment, housing, financial credit, public accommodations, and education.

Illinois Department of Human Rights

The Illinois Department of Human Rights enforces the Illinois Human Rights Act, investigating discrimination complaints and pursuing further action if necessary.

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School Code

The Illinois School Code governs the administration and operation of schools in Illinois.

Illinois State Board of Education

The Illinois State Board of Education (ISBE) ensures all children have access to safe learning environments, high-quality educators, and equal opportunities.

Understanding the concept of protected classes is fundamental to grasping the framework of anti-discrimination laws in the United States. Protected classes refer to specific groups of people safeguarded by law against discrimination and unfair treatment based on certain characteristics.

These characteristics, which include **race, color, religion, sex, national origin, age, disability**, and more, form the basis of legal protections that aim to ensure equality and justice in various aspects of public life, including employment, housing, education, and access to services.

Protected Categories Covered in the Illinois Human Rights Act

Age (40 +)	Citizenship Status	Disability	Immigration Status	Order of Protection Status
Ancestry	Color	Familial Status	Language	Pregnancy
Arrest Record	Conviction Record	Gender Identity	Marital status	Race
Religion	Sex	Sexual Harassment	Source of Income	Unfavorable Military Discharge

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Retaliation	Sexual Orientation	Family Responsibilities	Military Status	Reproductive Health Decisions
Work Authorization Status				

** Some categories are limited to specific areas, such as employment or housing. To learn more, visit <https://dhr.illinois.gov/filing-a-charge/jurisdiction-chart.html>

The Racism-Free Schools Law focuses on race, color, and national origin because these identity descriptors often drive incidents of bullying, harassment, and discrimination.

Lesson 4 of 15

Shared Understanding of Bullying, Harassment, and Discrimination

We began with the definitions of race, color, and national origin because these identity descriptors often drive incidents of bullying, harassment, and discrimination. Prejudice around race, color, and national origin is the source of many of the experiences that we want to prevent in our schools.

We similarly need a shared understanding of what constitutes bullying, harassment, and discrimination to come together to unpack and respond to what we see happening in our schools.

What is Harassment?

Harassment means any unwelcome conduct by either a student toward another student or school personnel toward a student based on the student's actual or perceived protected characteristic/basis that has the purpose or effect of substantially interfering with a student's educational

performance or creating an intimidating, hostile, or offensive educational environment.

Protected characteristics are also called "basis/bases" in civil rights law. It is important to note that protected characteristics or bases can differ between civil rights laws at both the Federal and state levels.

The Racism-Free Schools training is focused on protected characteristics based on a student's race, color, and national origin, among others.

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.

Example

During lunch, Jeremy repeatedly teases Aisha about her hairstyle and skin color, making her feel unwelcome. His comments disrupt her ability to focus during class and create a hostile atmosphere. This behavior may be harassment based on Aisha's race, affecting her educational experience.

What is Discrimination?

Discrimination in a civil rights context is generally understood to refer to the unequal treatment of individuals or groups based on certain protected characteristics.

Unequal treatment of individuals or groups can take various forms, including but not limited to the denial of opportunities, denial of access to services, denial of the full and equal enjoyment of services, or taking an adverse action against an individual or group based on their protected characteristics.

Protected characteristics are also called "basis/bases" in civil rights law. It is important to note that protected characteristics or bases can differ between different civil rights laws at both the Federal and state levels.

Example

In class, Maria was denied a chance to lead a project because of her Hispanic background. This unequal treatment highlights discrimination, where individuals face barriers based on protected characteristics like race, color, or national origin, limiting their opportunities and experiences.

What is Bullying?

"Bullying" includes "cyber-bullying" and means any severe or pervasive physical or verbal act or conduct, including communications made in writing or electronically, directed toward a student or students that has or can be reasonably predicted to have the effect of one or more of the following:

- Placing the student or students in reasonable fear of harm to the student's or students' person or property;
- Causing a substantially detrimental effect on the student's or students' physical or mental health;
- Substantially interfering with the student's or students' academic performance; or
- Substantially interfering with the student's or students' ability to participate in or benefit from the services, activities, or privileges provided by a school.

Example

During lunch, Julia overheard a group of students mocking her on social media. They shared embarrassing photos and spread rumors, making her feel isolated. This cyberbullying hurt Julia emotionally, showing how powerful online actions can be against someone vulnerable.

Patterns of Conduct

“Patterns of conduct” refer to repeated actions or behaviors, rather than isolated incidents, that collectively indicate a practice of bullying, harassment, or discrimination.

Example

Sarah repeatedly mocks her classmate Alex's clothes and spreads rumors about him. This ongoing behavior, not just a one-time incident, shows a pattern of bullying that affects Alex's feelings and makes him feel unsafe at school.

What is Retaliation?

“**Retaliation**” in the context of civil rights is generally understood to refer to an adverse action taken against an individual because they engaged in a legally protected activity, such as asserting or alleging an act of bullying. This includes any negative or punitive response aimed at someone for reporting, opposing, or participating in an investigation or proceeding related to bullying or other protected activities.

- “**Protected activity**” includes opposing what an individual reasonably believes in good faith to be discrimination, harassment, or sexual harassment; reporting discrimination, filing a charge of discrimination, filing a complaint of discrimination (a lawsuit); testifying, assisting, or participating in an investigation, proceeding, or hearing involving discrimination.
- “**Adverse action**” refers to actions taken against someone to deter or negatively affect them for engaging in a “protected activity” such as those listed above.

Example

After Kai reported his teacher for unfair grading based on his national origin, he noticed his teacher started giving him lower scores on assignments. This negative treatment may be retaliation because it

happened after Kai engaged in protected activity by speaking up against perceived unfairness.

PAUSE AND REFLECT

Consider a time when you either experienced or witnessed an incident of bullying, harassment, or discrimination in school. What role did race, color, or national origin play in the incident?

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What does Bullying mean under the Illinois School Code?

The definition of bullying under the Illinois School Code provided above in this training may take various forms, including without limitation one or more of the following: harassment, threats, intimidation, stalking, physical violence, sexual harassment, sexual violence, theft, public humiliation, destruction of property, or retaliation for asserting or alleging an act of bullying. This list is meant to be illustrative and non-exhaustive.

What are forms of “Bullying” under the Illinois School Code?

Under the Illinois School Code, “bullying” may take various forms, including without limitation one or more of the following:

Forms of Bullying

Harassment	Intimidation
Threats	Stalking
Physical Violence	Sexual Harassment
Sexual Violence	Public Humiliation
Destruction of Property	Theft

**Bullying may also take the form of retaliation for asserting or alleging an act of bullying. This list is illustrative and non-exhaustive.*

What is Cyberbullying under the Illinois School Code?

"Schools have a critical role in addressing cyberbullying. It's not just about monitoring online behavior but also about fostering an environment of respect and inclusion, where all students feel safe."⁷

TECHNOLOGY

"Cyber-bullying" means bullying through the use of technology or any electronic communication, including without limitation any transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic system, photoelectronic system, or photooptical system, including without limitation electronic mail, Internet communications, instant messages, or facsimile communications.

ELECTRONIC MEANS

"Cyber-bullying" also includes the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons if the distribution or posting creates any of the effects enumerated in the definition of bullying.

⁷ Elizabeth Kandel Englander in *Bullying and Cyberbullying: What Every Educator Needs to Know* (2013)

WEBPAGE

"Cyber-bullying" includes the creation of a webpage or weblog in which the creator assumes the identity of another person or the knowing impersonation of another person as the author of posted content or messages if the creation or impersonation creates any of the effects enumerated in the definition of bullying.

Understanding the Difference Between Harassment and Bullying

In many cases, behavior classified as bullying under the School Code may also qualify as harassment under the Illinois Human Rights Act (IHRA). However, there are specific conditions to consider:

Same Basis: For conduct to be considered both bullying and harassment, it must involve the same protected characteristics recognized by both laws.

Examples of Protected Bases:

These characteristics are protected under **both the School Code and the IHRA.**

- Race
- Color
- National Origin
- Physical and mental disability
- Sexual Orientation

These characteristics are recognized under the School Code but **do not** have protection under the **IHRA.**

- Physical Appearance
- Socioeconomic Status
- Parenting Status

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What is Disparate Treatment?

Disparate treatment discrimination means treating one person differently or less favorably than another similarly situated person because the person is a member of a protected group.

“Similarly situated” means two or more people are the same or similar in all material respects.

“Protected group” means a group of people with a common characteristic who are legally protected from discrimination. Examples of legally protected common characteristics include, but are not limited to, race, color, and national origin.

Examples of Disparate Treatment

1. A teacher in High School X has been accused of routinely and harshly grading African American and Hispanic students' essay and writing assignments versus white students in the English Composition class, which are reportedly graded more favorably.
2. In response to student and parent complaints, the school administrator investigated and found that, in fact, similar writing samples submitted by students over the course of a school year were in fact graded differently. Upon further evaluation, it was determined that even when comparing the writing samples based on the grading scale developed by the teacher, African American and Hispanic students were consistently graded harshly, lower, and not aligned with the established grading rubric.
3. All three groups of students were similarly situated but graded differently by their English Composition teacher.

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What is Disparate Impact Discrimination?

“Disparate impact discrimination” means a facially neutral policy/practice that more harshly impacts one protected group than another protected group, and the disproportionately negative effect or impact cannot be justified by a business necessity.

“Facially neutral policy” refers to a policy or practice that appears neutral on the surface and does not appear to be discriminatory.

“Protected group” means a group of people with a common characteristic who are legally protected from discrimination. Examples include, but are not limited to, race, color, and national origin.

Lesson 8 of 15

Examples of Disparate Impact Discrimination

1. High school Z’s football team has a policy that requires all male athletes to be at least 5 feet 6 inches in height to join the football team.

Bruce, a student who is 5 feet 5 inches in height, applies to join the football team and is denied due to not meeting the minimum height requirement.

2. Bruce, an Asian student, notes that most men in his family and community share a similar height, reflecting common racial and ethnic physical characteristics. High School Z lacks a valid justification for setting a minimum height requirement of 5 feet 6 inches to join the football team.

3. High School Z could be found responsible for disparate impact discrimination because their policy on minimum height has a disproportionately negative impact or effect on students, a protected group based on Race (Asian). High School Z did not have a legitimate educational justification for its policy on minimum height to join the football team.

These experiences of racism cause harm and suffering. Students of color report increases in psychological and physical harm, substance abuse, and poorer academic outcomes. Teachers of color are also suffering, and in turn, leaving their schools and the profession.

SUMMARY

Together, the statistics, along with the stories from teachers, staff, administrators, and students about what is happening in our schools, demonstrate that the **Racism-Free Schools Law** was and continues to be a necessary piece of legislation. Incidents of **bullying, harassment, and discrimination, based on race, color, and national origin**, are happening in our schools, and we need to come together to make our schools safer places for teaching and learning.

We hope the shared language we discussed and explored in this part of the Professional Learning Experience will support you in identifying, naming, and then responding to incidents when you see them happening in your schools.

Your intervention and response could have a meaningful impact on improving the experiences of your current and future students and colleagues.

Lesson 9 of 15

School Policy and Procedure Requirements

The rest of this training will equip you with the knowledge and tools to respond when you encounter or are involved in an act of racism, discrimination, bullying, or harassment in your school.

As adults who work in schools, it is our job to equip students with the knowledge and tools they need to respond to incidents of racism when they experience or are bystanders to them. Below, you will find important guidance that you can provide to your students.

What Should You Do as a Teacher, Staff, or Bystander?

The steps outlined for teachers, staff, and administrators in the next two lessons provide a general roadmap for documenting and reporting racialized incidents of bullying and harassment.

For this training, school personnel *include* “teachers, principals, administrators, counselors, social workers, psychologists, nurses, librarians, and other support staff who are employed by a school or who perform services for the school on a contractual basis.” ⁸

As difficult as they may be, the action steps involved in recognizing these types of incidents require an understanding of documenting behavior patterns and seeking guidance from your appropriate school personnel.

Keeping students, the classroom, and the entire school community safe requires proactive conversations and training for teachers and staff, building awareness, engagement with students and families, and maintaining clear school policy and procedures to support decision-making and reporting when needed.

⁸ <https://www.govinfo.gov/content/pkg/USCODE-2010-title20/html/USCODE-2010-title20-chap70.htm>

Refer to Your School Policy or Guidance

Refer to your school's/district's website or the student handbook for definitions and examples of bullying, harassment, and discrimination related to race, color, and national origin.

Document the Incident

Written reports should be as detailed as possible, including information such as the date(s) of the incident(s), where the incident occurred, as well as other students, teachers, or school personnel involved in the incident.

Report the Incident

Report the incident to school personnel as outlined within your school policy.

Consult Your School Personnel for Guidance

If these steps are ineffective, please consult your school personnel for guidance.

Contact The Illinois Department of Human Rights

A student, teacher, or parent/guardian may contact the Illinois Department of Human Rights to file a complaint as additional recourse if a school or district fails to take corrective action, outlined within the school's policy.

For further details, contact IDHR:

General FAQ - dhr.illinois.gov/training/racism-free-schools.html#rfs-faq

Email- IDHR.Training IDHR.Training@Illinois.gov

What Should be done by School Personnel?

Prevention

1. **Policy.** Develop, implement, and regularly communicate the school's policy on preventing harassment, discrimination, and retaliation (HDR).
2. **Training.** Provide all school personnel with training on harassment, discrimination, and retaliation prevention.
3. **Reporting.** Ensure all school personnel know how to report incidents of harassment, discrimination, and retaliation per their school's policy.
4. **Open Door/Monitoring.** School personnel should maintain an open-door policy for students and others to report harassment, discrimination, and retaliation incidents and monitor their environments to ensure they are free of harassment, discrimination, and retaliation conduct.
5. **Model.** School personnel should lead by example and model appropriate conduct. They should refrain from engaging in conduct of a harassing, discriminatory, or retaliatory nature.
6. **Climate Checks.** School personnel should conduct harassment, discrimination, and retaliation climate checks throughout the year and discuss the harassment, discrimination, and retaliation at team/staff meetings, in-service days, or division/unit newsletters.

Investigation

1. **Acknowledge the Concern.** The appropriate school personnel should immediately acknowledge a concern shared with them that is of a harassing, discriminatory, or retaliatory nature.
2. **Create a Safe Environment.** The appropriate school personnel should take reasonable action to create a safe space and protect involved

individuals from experiencing further incidents of harassment, discrimination, or retaliation.

3. **Refer to the Concern.** All school personnel should immediately report the harassment, discrimination, or retaliation incident to the appropriate school personnel, who is responsible for receiving and investigating harassment, discrimination, and retaliation incidents according to the school's policy.
4. **Investigate the Concern.** The appropriate school personnel should immediately take steps to assess and investigate the allegations, which may warrant interviews. Investigation results should be documented. Consult your school's policy.

Corrective Measures

1. **Ongoing Monitoring.** Where the conduct in question did not rise to the level of harassment, discrimination, retaliation, or a formal violation of policy, but the conduct is nevertheless concerning, the school may consider providing counseling, training, or close supervision.
2. **Post Intervention Follow-up.** Following the resolution of a harassment, discrimination, or retaliation incident, the school should continue to encourage the reporting of any recurring or new behavior. Additionally, teachers, staff, and administrators should actively monitor the educational environment to ensure it remains free of any harassment, discrimination, and retaliation-related conduct.

The Importance of Bystander Intervention

When a teacher, staff, or administrator witnesses and ignores racialized incidents or attacks, whether through choice, fear, or lack of awareness, this can appear to condone or reinforce the offender's behavior and add to the alienation of the targeted students, teachers, or staff.

Finding ways to inform and encourage students, teachers, staff, and administrators to respond to harmful behavior is key. By speaking out in the moment, schools can support and promote a safe and inclusive school community. The following are a few examples that provide tips on navigating difficult situations.

Bystander Examples and Action

Here are stories of school personnel who were bystanders of incidents.

Bystander Example #1

During lunchtime, a group of teachers discusses new policies regarding student admissions. One teacher remarks, “We’ve got to keep the school for local kids and not let people in from other areas.” Another teacher nods in agreement. Emily, an English teacher at the table, feels uncomfortable hearing this. After the group disperses, she decides to approach the first teacher. She says, “I overheard your comment earlier.

I think we need to be mindful about how we talk about our students and their backgrounds. Every child deserves a fair chance regardless of where they come from.”

Recognizing the importance of addressing the issue at a larger level, Emily also considers reaching out to the school administrator to report the incident. She believes it’s crucial for school leadership to be aware of such comments, which can contribute to a negative environment for students.

Bystander Example #2

In an elementary school, Ms. Jackson, a 3rd grade teacher, is discussing a field trip to a local cultural event. One of the parents interjects, “I don’t want my child exposed to different cultures; we should keep it simple.” The other parents in the room seem hesitant to disagree. Jeffery, a teaching aide, hears the comment and feels it’s important to address it. He turns to the group and says, “I think it’s important for our kids to experience and

learn about different cultures. It helps them grow and become more understanding individuals.”

Afterward, Jeffery considers the broader implications of the comment and recognizes the need for accountability. He decides to reach out to a school administrator to report the incident, believing that addressing such attitudes at the leadership level is essential for fostering an inclusive environment.

Bystander Example #3

Ms. Johnson, a white teacher, is known for her commitment to social justice and anti-racism. One day, she notices that Michael, a Black student, is being disruptive in class. Ms. Johnson feels unsure about how to address his behavior without reinforcing negative stereotypes about Black students. She worries that her discomfort might lead her to overreact or misinterpret Michael's actions, which could further alienate him and perpetuate systemic racism.

To navigate this situation, Ms. Johnson takes a step back and reflects on her feelings. Instead of immediately reprimanding Michael, she approaches him after class to understand his perspective.

By creating a safe space for discussion, she addressed the behavior and acknowledged the systemic challenges he faced. This approach empowers Michael and fosters a more inclusive classroom environment.

Bystander Example #4

Ms. Rivera, a Latina/x/e teacher, is faced with a challenging situation when several white students in her classroom begin making racist jokes about their classmates of color. Feeling the weight of her role as an educator and advocate for inclusivity, she knows she must address this behavior directly while maintaining a supportive environment for all students.

Through an open discussion, Ms. Rivera discusses respect and the impact of words. She shared personal stories about racism and encouraged students

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to reflect on how their comments affect others. By nurturing an environment where students feel safe to express their thoughts, Ms. Rivera can address the issue while promoting empathy and understanding among all her students.

Bystander Example #5

During a high school basketball game, a player from one team makes a racist remark towards an opposing player after a foul is called. Several spectators hear the comment but remain silent out of fear about how to react. One parent stands up and calls out the behavior from the stands, urging others to join in addressing it.

Inspired by this parent's courage, other spectators voiced their disapproval. After the game, coaches from both teams held a meeting with players to discuss sportsmanship and respect on/off the court. This incident highlights how collective action can create change and emphasizes the importance of speaking out against racism in all settings and school environments.

PAUSE AND REFLECT

What is the potential impact of a teacher, staff member, or administrator ignoring racialized incidents or attacks, and what strategies can schools use to respond effectively?

Lesson 10 of 15

Understanding Bullying, Harassment & Discrimination Prohibitions and Remedies

Illinois law expressly prohibits bullying, harassment, discrimination, and retaliation in all educational settings. Schools are required to adopt policies that ensure all students are provided a safe and supportive learning environment, free from any form of harmful behavior.

State of Illinois Protections:

1. Under the **Illinois School Code**, violations can be reported to the school. Under local school policies, every school in Illinois is required to have a policy that contains information on how to report an act of bullying. The Illinois State Board of Education can provide assistance to parents on how to file a complaint with the school.
2. Under the **Illinois Human Rights Act (IHRA)**, violations can be reported to the Illinois Department of Human Rights (IDHR).
3. Under the **Illinois Civil Rights Act of 2003**, complaints (lawsuits) can be filed in the courts (State or Federal).

Federal Protections:

1. Title VI of the Civil Rights Act of 1964 violations can be reported to the Office of Civil Rights (OCR), U.S. Department of Education.
2. Title VII of the Civil Rights Act of 1964 violations can be reported to the U.S. Equal Employment Opportunity Commission.

Remedies under The Illinois School Code:

Remedies for Students.

Remedies may include, but are not limited to, the investigation of incidents, intervention and support, disciplinary action, parental notification, documentation of incidents and investigative outcomes, and development of prevention programs.

Remedies for School Personnel.

Limited protections for teachers, staff, and administrators are provided for in the Illinois School Code. Protection for school personnel is also provided for in other State and federal laws, collective bargaining agreements, and school policies.

Lesson 11 of 15

Illinois Human Rights Act

The Illinois Human Rights Act prohibits harassment, discrimination, and retaliation in educational settings (Students) and employment settings (All school personnel).

Remedies for Students

Remedies for students may include, but are not limited to, monetary relief for injury or loss, an order to cease, an order to provide full and equal enjoyment of services, attorney's fees, and costs.

Remedies for School Personnel

Remedies for teachers, staff, and administrators may include, but are not limited to, back pay, lost benefits, clearing of a personnel file, damages, hiring, promotion, reinstatement, front pay where reinstatement is not possible, and attorney's fees and costs.

Lesson 12 of 15

Illinois Civil Rights Act of 2003

The Illinois Civil Rights Act of 2003 prohibits discrimination based on race, color, national origin, or gender by units of state, county, or local government in Illinois (such as schools); prohibits discrimination in school programs or activities; and prohibits policies or practices that have a discriminatory impact.

Illinois's Office of the Attorney General's Civil Rights Bureau is responsible for investigating systemic patterns of discrimination, including race discrimination and harassment, in educational settings. This includes examining policies, practices, or incidents that may disproportionately impact certain groups based on protected characteristics such as race, ethnicity, or national origin. However, the Illinois Office of the Attorney General does not represent individuals, give legal advice, or investigate individual incidents of discrimination.

If you have concerns about widespread discriminatory practices affecting multiple individuals within a school or district, you can file a complaint with the Civil Rights Bureau, which will assess the matter and determine whether an investigation is warranted to address potential patterns and practices of civil rights violations.

Remedies for Students

Remedies may include, but are not limited to, monetary relief for claims of intentional discrimination, including for emotional distress; injunction ordering a unit of government (such as a school) to do or stop doing something.

Remedies for School Personnel

Remedies for teachers, staff, and administrators may include, but are not limited to, monetary relief for claims of intentional discrimination, including for emotional distress; and injunction ordering a unit of government (such as a school) to do or stop doing something.

Lesson 13 of 15

The Civil Rights Act of 1964

Title VI of the Civil Rights Act of 1964 prohibits harassment and discrimination based on race, color, or national origin in programs or activities that receive federal financial assistance, such as **school programs and activities, and prohibits retaliation.**

Remedies for Students

Remedies may include, but are not limited to, monetary relief for claims of intentional discrimination, including for emotional distress, and an injunction ordering a recipient of federal funds to do or stop doing something.

Remedies for School Personnel

Remedies may include, but are not limited to, monetary relief for claims of intentional discrimination, including for emotional distress, and an injunction ordering a recipient of federal funds to do or stop doing something.

Protections

Title VII of the Civil Rights Act of 1964 prohibits discrimination in the employment setting based on race, color, religion, sex, and national origin, and prohibits retaliation.

Remedies for Students

Remedies for students are not provided for under this law, which covers employees in the employment setting. Remedies for students are provided for in other state and federal laws.

Remedies for School Personnel

Remedies for teachers, staff, and administrators may include, but are not limited to back pay, lost benefits, clearing of a personnel file, damages, hiring, promotion, reinstatement, front pay where reinstatement is not possible, and attorney's fees and costs.

Lesson 14 of 15

Recap

1. **The Racism-Free Schools Law** was signed into law in 2023. It ensures that preventative and responsive measures are in place to encourage us all to act in ways that can make Illinois schools safe and inclusive places for teaching and learning.
2. **Having a shared language is important.** You learned key terms that are intended to support you in defining, describing, and identifying the role of race, color, and national origin in incidents of bullying, harassment, and discrimination.
3. **We learn and grow from listening to our peers and co-workers.** You heard from teachers, students, administrators, and parents about their experiences in schools and their dreams for a better, safer future.
4. **It is important to have clear policies and procedures.**
You learned that individuals, schools, and districts must take action to report and respond to incidents of racism when they occur.
5. **We all have a responsibility to act.** You have experienced throughout the training the importance of building your knowledge and capacity to prevent and respond to harmful racialized incidents of bullying, harassment, and discrimination.

Lesson 15 of 15

Who is Responsible (liable) for Incidents of Harassment, Discrimination, and Retaliation?

We have provided two distinct resources – available on the IDHR website or as downloadable PDF: one designed for students and the other for School Personnel.

- [Remedies for Students: read or download](#) information regarding the responsibility for incidents of harassment, discrimination, and retaliation for Students.
- [Remedies for School Personnel: read or download](#) information regarding the responsibility for incidents of harassment, discrimination, and retaliation for School Personnel.

You have reached the end of the Racism-Free Schools training.

Teacher & Student Resources

Anti-Racism in the Classroom: Tips and Resources for Teaching About Racism https://soeonline.american.edu/blog/teaching-about-racism/
Anti-Racism Toolkit https://www.studentadvocacycenter.org/anti-racism-toolkit/
A Teaching Tolerance Guide https://www.learningforjustice.org/sites/default/files/general/TT%20Difficult%20Conversations%20web.pdf
Facing History & Ourselves https://www.facinghistory.org/
Race Equity Tools https://www.racialequitytools.org/
Help Stop Hate Illinois https://cdhc.illinois.gov/
Learning for Justice https://www.learningforjustice.org/
Safe2help Illinois https://www.safe2helpil.com/
Right to Be https://righttobe.org/
Second Step https://www.secondstep.org/anti-racism-and-anti-bias-resources

Important Contacts

General Contact

IDHR Contact Information & Locations:

- Website: dhr.illinois.gov
- Chicago: 555 W. Monroe St., 7th Floor,
Chicago, IL 60661
312-814-6200 | 866-740-3953 (TTY)
- Springfield: 524 S. 2nd St., Suite 300
Springfield, IL 62702
217-785-5100 | 866-740-3953 (TTY)

U.S. EEOC Office Locations Serving Illinois:

- Chicago District Office: JCK Federal Building, 230 S. Dearborn St.,
Chicago, IL 60604
- St. Louis District Office: Robert A. Young Federal Building, 1222
Spruce St., Rm. 8.100, St. Louis, MO 63103

The Civil Rights Bureau

- Email - civilrights@ilag.gov
- Phone - 877-581-3692

Partners

This training was made in partnership with several organizations.

1. Illinois Department of Human Rights

<https://dhr.illinois.gov>

312-814-6200

2. Illinois School Board of Education

<https://www.isbe.net>

312-814-2220

3. University of Illinois Urbana-Champaign

<https://illinois.edu>

217-333-1000

4. Ed Leaders Network

<https://edleadersnetwork.org>