

UNIVERSITY OF ILLINOIS URBANA-CHAMPAIGN SENATE
COMMITTEE ON UNIVERSITY STATUTES AND SENATE PROCEDURES
(Final; Action)

SP.22.04 Proposed Revisions to the *Statutes*, Nondiscrimination Statement

BACKGROUND

The State of Illinois Human Rights Act (775 ILCS 5/2-103) was amended in 2021 to include “arrest record” as a protected class, effective August 2021:

Sec. 2-103. Arrest record.

(A) Unless otherwise authorized by law, it is a civil rights violation for any employer, employment agency or labor organization to inquire into or to use an arrest record, as defined under subsection (B-5) of Section 1-103, as a basis to refuse to hire, to segregate, or to act with respect to recruitment, hiring, promotion, renewal of employment, selection for training or apprenticeship, discharge, discipline, tenure or terms, privileges or conditions of employment. This Section does not prohibit a State agency, unit of local government or school district, or private organization from requesting or utilizing sealed felony conviction information obtained from the Illinois State Police under the provisions of Section 3 of the Criminal Identification Act or under other State or federal laws or regulations that require criminal background checks in evaluating the qualifications and character of an employee or a prospective employee.

(B) The prohibition against the use of an arrest record, as defined under paragraph (1) of subsection (B-5) of Section 1-103, contained in this Act shall not be construed to prohibit an employer, employment agency, or labor organization from obtaining or using other information which indicates that a person actually engaged in the conduct for which he or she was arrested.

This proposed revision to the *Statutes* would include “arrest record” in the Nondiscrimination Statement, aligning them with state law.

RECOMMENDATION

The Senate Committee on University Statutes and Senate Procedures recommends approval of the following revisions to the *Statutes*, Nondiscrimination Statement.

Text to be deleted is ~~struck through~~ and text to be added is underscored.

PROPOSED REVISIONS TO THE *STATUTES*, NONDISCRIMINATION STATEMENT

1 NONDISCRIMINATION STATEMENT

2

3 The commitment of the University of Illinois System to the most fundamental principles of
4 academic freedom, equality of opportunity, and human dignity requires that decisions involving
5 students and employees be based on individual merit and be free from invidious discrimination
6 in all its forms.

7

8 The University of Illinois System will not engage in discrimination or harassment against any
9 person because of race, color, religion, sex, national origin, ancestry, age, marital status, order
10 of protection status, genetic information, disability, pregnancy, sexual orientation including
11 gender identity, unfavorable discharge from the military, ~~or~~ status as a protected veteran, or
12 arrest record. ~~and~~ The University of Illinois System will comply with all federal and state
13 nondiscrimination, equal opportunity, and affirmative action laws, orders, and regulations. This
14 nondiscrimination policy applies to admissions, employment, and access to and treatment in
15 the programs and activities of the University of Illinois System.

16

17 Complaint and grievance procedures provide employees and students with the means for the
18 resolution of complaints that allege a violation of this Statement. Members of the public should
19 direct their inquiries or complaints to the appropriate equal opportunity office.

UNIVERSITY STATUTES AND SENATE PROCEDURES

Shawn Gilmore, Chair

Walter Deering

H. George Friedman

Michael Grossman

Rob Klein

William Maher

Collin Ruud

Joyce Tolliver

Kelli Trei

Jessica Mette, *ex officio*

Sharon Reynolds, *ex officio*

Jenny Roether, *ex officio*