



News

Raylene DeWitte Grischow Secures Favorable Ruling for Illinois School District in Racial Discrimination Case

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Raylene DeWitte Grischow obtained a favorable ruling for McLean County Unit District No. 5 in a racial discrimination case brought by an African-American day custodian employed by the district. During the 2006 – 2007 school year, facing a \$2 million budget deficit, the district honorably dismissed 12 custodians—nine white and three black—with the least amount of seniority, in accordance with the collective bargaining agreement. Plaintiff custodian, as the least senior custodian, was one of those who lost his position. But he was re-employed as a night custodian at the same school. The trial court initially dismissed the lawsuit, but the appellate court subsequently remanded the case. On remand, the trial court issued its ruling, a grant of summary judgment for the school district. William P. Hardy handled the case before the appellate court.

In addition to the substantive issues at play, the case involved important questions concerning the timeliness of filing charges in the Illinois Human Rights Commission (HRC), and the subject matter jurisdiction of Illinois circuit courts when a plaintiff seeks administrative review of an Illinois Department of Human Rights (IDHR) dismissal of the charge(s). These implicated 775 ILCS 5/7A-102(D)(3) and its interplay with Public Act 95-0243, which made significant changes to the Illinois Human Rights Act.

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