TABLE OF CONTENTS

I. Introduction
   A. Purpose
   B. EOCO

II. Definitions
    A. Covered Individuals
    B. Discrimination
    C. Harassment
    D. Protected Categories
    E. Retaliation

III. Reporting Procedures
     A. Scope of Complaints
     B. Complaints by Employees, Contractors, Consultants, Vendors, Volunteers and Members of the Public
     C. Complaints by Members of the Board of Education of the City of Chicago or Local School Council
     D. Timely Reporting
     E. Supervisor Handling, Confirmation, and Reporting
        1. Written Complaint
        2. Oral Complaint
     F. School Department’s Involvement

IV. Investigative Procedures
    A. Information and Advice
    B. Complaint
       1. Signed Complaint
       2. Unsigned Complaint or No Complainant
    C. Timely Investigation
    D. Law Department Referral

V. Limitations
I. INTRODUCTION

A. Purpose: This Equal Opportunity Compliance Office (EOCO) Procedural Manual is complementary to the Board’s Comprehensive Non-Discrimination, Harassment, And Retaliation Policy approved by the Board on May 22, 2019. The purpose of this EOCO Procedural Manual is to outline the procedures for the prompt and equitable resolution of adult-to-adult or student-to-adult complaints alleging discrimination, harassment, or retaliation for having made a complaint or report of discrimination or harassment or having participated in an investigation of discrimination or harassment against any Covered Individual. The EOCO Procedural is herein incorporated into the Comprehensive Non-Discrimination, Harassment, And Retaliation Policy.

B. EOCO: The EOCO responds to inquiries or complaints related to adult-to-adult, work/employment related discrimination, harassment and/or retaliation and adult assistance related to the Americans with Disabilities Act (ADA), including requests for accommodations. For additional information regarding the EOCO ADA procedures, please refer to the EOCO ADA Procedural Manual.

II. DEFINITIONS

All definitions outlined in this Procedural Manual apply to the adults covered by the Comprehensive Non-Discrimination, Harassment, And Retaliation Policy

A. Covered Individuals is defined as an employee, contractor, consultant, vendor, volunteer, or member of the Board of Education of the City of Chicago or local school council (collectively referred to as “Covered Individuals”) shall be subjected to or engage in any Discrimination, Harassment, and/or Retaliation, as these terms are defined in Section II of this Policy, against another while employed, working for, attending school or participating in district programs or activities.

B. Discrimination is defined as unjust or prejudicial treatment, including harassment and sexual misconduct, towards individuals due to the person’s real or implied membership in one or more of the Protected Categories, as defined below in Section II-D.

C. Harassment is defined as unwelcome verbal, nonverbal, visual, and/or physical conduct that is the person’s real or implied membership in one or more of the Protected Categories, as defined below in Section II-D. Unwelcome conduct may include, but is not limited to, bullying, intimidation, offensive jokes, slurs, epithets or name calling, assaults or threats, touching, ridicule or mockery, insults or put-downs, offensive objects or pictures, messages
sent via email, text or social media, sexual advances, requests for sexual favors, conduct of a
sexual nature and/or any other persistent, pervasive or severe conduct that interferes with work
performance.

D. **Protected Categories** is defined as actual or perceived sexual orientation, gender or sex
(includes gender identity, gender expression, pregnancy, childbirth, breastfeeding, and
pregnancy related medical conditions), race or ethnicity, ethnic group identification, ancestry,
nationality, national origin, religion, color, mental or physical disability, age (40 and above),
immigration status, marital status, registered domestic partner status, genetic information,
political belief or affiliation (not union related), military status, unfavorable discharge from
military service, or on the basis of a person’s association with a person or group with one or
more of these actual or perceived characteristics, or any other basis protected by federal, state
or local law, ordinance, or regulation.

E. **Retaliation** is defined as an adverse employment action, such as discipline or denial of or
access to a service or benefit, against any person for having made a complaint or report of
Discrimination, Harassment, or Sexual Misconduct, whether made internally, or externally
with a federal, state, or local agency; or participating or aiding in an investigation of
Discrimination, Harassment, or Sexual Misconduct, whether internal, or external with a
federal, state, or local agency, is strictly prohibited. Any person who believes that he or she has
been subjected to Retaliation should refer to Section III Reporting Procedures.

III. REPORTING PROCEDURES

A. **Scope of Complaints:** Complaints should be made by Covered Individuals as defined in this
Procedural Manual who:

1. Believe they are the target of Discrimination, Harassment or Retaliation;
2. Believe that they have been retaliated against for making a good faith complaint or
report of Discrimination or Harassment or for participating or aiding in an
investigation of such complaints; or
3. Have knowledge of Discrimination, Harassment or Retaliation against another
person.

B. **Complaints by Employees, Contractors, Consultants, Vendors, Volunteers, and
Members of the Public:** For employees, contractors, consultants, vendors, volunteers and
members of the public, who are aware of a violation of the Policy and/or have complaints of
Discrimination, Harassment and Retaliation shall be made to any of the following persons:
1. The Principal or the Assistant Principal of the school in which the Complainant
   works;

2. The department head of the Complainant’s office, including Network Chiefs if the
   Complainant is a Principal; or the department head of the hiring department if the
   Complainant is a consultant/vendor/contractor; or

3. The EOCO Administrator or EOCO Investigator at:
   - Equal Opportunity Compliance Office
     Board of Education of the City of Chicago
     42 W. Madison, 3rd Floor
     Chicago, Illinois 60602
     Phone: 773-553-1013
     Fax: 773-553-1091
     eoco@cps.edu

C. Complaints by Members of the Board of Education of the City of Chicago or Local
   School Council: For members of the Board of Education of the City of Chicago or Local School
   Council who are aware of a violation of the Policy and/or have complaints of Discrimination,
   Harassment and Retaliation shall be made to any of the following persons:

   1. The Principal or the Assistant Principal of the school in which the local school council
      member serves; or
   2. The EOCO Administrator or EOCO Investigator at:
      - Equal Opportunity Compliance Office
        Board of Education of the City of Chicago
        42 W. Madison, 3rd Floor
        Chicago, Illinois 60602
        Phone: 773-553-1013
        Fax: 773-553-1091
        eoco@cps.edu

D. Timely Reporting: Complaints of Discrimination, Harassment or Retaliation shall be
   made within 90 calendar days of the Discrimination, Harassment or Retaliation complained of.
   The 90 day reporting requirement shall be strictly applied, except when the EOCO determines
   that extraordinary circumstances exist and authorizes a waiver of the 90 day reporting
   requirement.

E. Supervisor Handling, Confirmation and Reporting: Any Principal, Assistant Principal
   or department head, including Network Chiefs, receiving an oral or written complaint alleging
   Discrimination, Harassment or Retaliation by an employee, contractor, consultant, vendor,
volunteer, or the public must refer it to the EOCO for handling within three (3) business days following receipt or knowledge of the allegations.

1. **Written Complaint:** If the allegation from the Complainant is in writing, that document must be submitted to the EOCO and entered into Aspen.

2. **Oral Complaint:** If the complaint is oral, the party receiving the complaint must summarize the allegation in writing and submit it to the EOCO and enter it into Aspen. The Principal, Assistant Principal or department head, including Network Chiefs, must submit the written allegation to the EOCO in a manner that ensures the integrity and confidentiality of the contents.

Guidance for Principals, Assistant Principals or department heads, including Network Chiefs, to ensure the integrity and confidentiality of a complaint:

- Mark the documents “Confidential” when sending the allegations summary to the EOCO via facsimile, email or U.S. Mail.
- Only send allegations summary to the EOCO, and not to the parties involved or any other third parties.
- The allegations summary shall not be disclosed to either party or to any third party unless required by law.

F. **School/Department's Involvement:** No school based or department-based investigation or discipline may be initiated or imposed regarding allegations of Discrimination, Harassment, or Retaliation by an employee, contractor, consultant, vendor, volunteer, or the public until the EOCO or the Law Department has been contacted and have determined next steps.

IV. INVESTIGATIVE PROCEDURES

A. **Information and Advice:** Covered Individuals and members of the public may contact the EOCO to seek advice, information or counseling on matters related to Discrimination, Harassment and Retaliation, and options available under the Policy and this Procedural Manual. The EOCO does not provide legal advice nor act as counsel for any private right of action.

B. **Complaint:**

1. **Signed Complaint** - When the EOCO receives a complaint, either directly from the Complainant or indirectly from the individuals authorized in Section III to receive
complaints, the EOCO will request that the Complainant sign a complaint form. All complaints of Discrimination, Harassment or Retaliation, even if unsigned or oral, will be promptly and fully investigated.

2. **Unsigned Complaint or No Complainant** - The EOCO will take appropriate actions regarding allegations of Discrimination, Harassment, Retaliation or other violations of the Policy even if there is no signed complaint. The EOCO may investigate allegations of Discrimination, Harassment, Retaliation or other violations of the Policy even if a Complainant chooses not to pursue the matter. The EOCO may initiate investigations where there is no Complainant.

C. **Timely Investigation:**

1. After receipt of a complaint, an EOCO employee will confirm receipt within two business days.

2. Once an EOCO Investigator is assigned, the Investigator will contact the Complainant to explain the investigative process, clarify the complaint if necessary, and inform the Complainant that if any of the allegations are substantiated and the Board seeks to discipline the alleged offender for violation of this Policy or another Board Policy, the Complainant may be called to testify at subsequent disciplinary or other court proceedings. During the investigation, where appropriate, the EOCO will take interim steps to ensure the safety of all parties. The EOCO will schedule an interview with the Complainant and obtain from the Complainant the identity of witnesses and any other evidence the Complainant chooses to submit in support of their allegations. The EOCO will schedule interviews with relevant witnesses and will review relevant documents and any other evidence provided by any party and/or witness.

3. The investigation will conclude in no later than ninety (90) days from the time EOCO commences its investigation unless either:
   - A. the Complainant(s) or the alleged offender(s) are unavailable for questioning at any point during the investigation; or
   - B. For good cause, as determined by the EOCO, with written notice to the parties involved.

4. At the conclusion of the investigation, the Investigator will prepare and issue an Investigative Findings and Report containing a synopsis of the evidence and whether the allegations are substantiated or unsubstantiated. At the discretion of the EOCO, the EOCO may recommend corrective action, even if the reported conduct is unsubstantiated. Both the Complainant and the alleged offender will receive notification of the investigation outcome.

5. The EOCO findings are final, unless the EOCO determines that new evidence unavailable at the time of the investigation warrants review of previous findings.
6. Complainants who are dissatisfied with the EOCO findings may pursue their right to file a complaint with any external agency that has subject matter jurisdiction, referenced in Section V herein.

7. Nothing herein prevents a Complainant from amending a complaint to include new allegations, or from submitting multiple complaints on unrelated incidents.

D. Law Department Referral:
   Disciplinary Determination - In cases where the EOCO substantiates the allegations, the EOCO Administrator or EOCO Investigator will submit an Investigative Findings and Report to the Law Department for the Law Department to determine appropriate disciplinary action.

V. Limitations: Nothing in this EOCO Procedure Manual is intended nor shall be construed to create a private right of action against the Board or any of its employees. Furthermore, no part of this Procedural Manual shall be construed to create contractual or other rights or expectations. Nothing herein is intended to affect the right of any person to file a charge or complaint of Discrimination, Harassment or Retaliation with any agency with jurisdiction over such charge or complaint. Time limits for filing such complaints vary, therefore the agencies below should be contacted directly for specific information.

   ● The Equal Employment Opportunity Commission
     500 West Madison, Suite 2800, Chicago, Illinois 60661
     (312) 353-2713

   ● The Illinois Department of Human Rights
     100 West Randolph Street, Suite 10-100, Chicago, Illinois 60602
     (312) 814-6245

   ● The City of Chicago Commission on Human Relations
     510 N. Peshtigo Court, Chicago, Illinois 60611
     (312) 744-4100

   ● The Cook County Commission on Human Rights
     Richard J. Daley Center, Suite 404, Chicago, Illinois 60602
     (312) 443-3456

   ● The Office for Civil Rights
     U.S. Department of Education
     John C. Kluczynski Building
230 South Dearborn Street, Floor 37
Chicago, Illinois 60604
(312) 730-1560

The above information may change without notice.