



Chicago Public Schools
Equal Opportunity Compliance Office (EOCO) Procedure Manual
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I. INTRODUCTION

A. Purpose: This Equal Opportunity Compliance Office (EOCO) Procedure Manual is incorporated into the Board's [Comprehensive Non-Discrimination, Harassment, Sexual Misconduct And Retaliation Policy](#) approved by the Board on May 22, 2019. The purpose of this EOCO Procedure 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 based on race or ethnicity, ethnic group identification, ancestry, nationality, national origin, religion, color, mental or physical disability, age, 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 in the educational programs or activities the Board operates.

B. Title IX Complaints: This EOCO Procedure Manual does not apply to the resolution of adult-to-adult, adult-to-student, or student-to-adult complaints alleging sex or gender-based discrimination, harassment, sexual misconduct, or retaliation in violation of Title IX of the Education Amendments of 1972. Such complaints will be handled in accordance with the Office of Student Protections and Title IX (OSP) Procedure Manual ([Click Here](#))

II. DEFINITIONS - Refer to the [Comprehensive Non-Discrimination, Harassment, Sexual Misconduct, And Retaliation Policy](#).

III. REPORTING PROCEDURES

A. Scope of Complaints: Complaints should be made by those who:

1. Believe they are the target of discrimination and/or harassment;
2. Believe that they have been retaliated against for making a good faith complaint of discrimination and/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 shall be made to:

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

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 shall be made to:

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

Phone: 773-553-1013 Fax: 773-553-1091 eoco@cps.edu

D. Timely Reporting: Complaints of discrimination, harassment or retaliation shall be made within ninety (90) calendar days of the discrimination, harassment or retaliation. The ninety (90) day reporting requirement shall be applied, except when the EOCO determines that a waiver of the ninety (90) day reporting requirement is appropriate based on existing circumstances.

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 the EOCO for handling within three (3) calendar 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(s) in writing, 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 email.
 - 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 has been contacted and have determined next steps.

IV. CASE 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 Procedure 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, 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 (2) business days.

2. When 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, the EOCO will take interim measures 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 sixty (60) 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 a procedural error occurred or new information exists that would substantially change the outcome.
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. .

E. 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 Procedure 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.