Equal Opportunity Compliance Office (EOCO)

Sexual Harassment and Discrimination Training
Equal Opportunity Compliance Office (EOCO)

42 W. Madison Street – 3rd Floor
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Training Outline

- Comprehensive Policy
- Non-Fraternization Policy
- New Policy Communication
- Policy Oversight Departments
- Key Definitions
- Reporting Procedures
- Investigative Procedures
- Violations and Discipline
Policy Updates

● Current Policy adopted May 26, 2016
  ○ Pre-dates Office of Student Protections & Title IX
  ○ Does not address all forms of Discrimination

● New Policy Effective September 3, 2019
  ○ Clearly defines Discrimination, Harassment, Retaliation & Protected Categories
  ○ Goes beyond federal law to include sexual orientation, immigration status, domestic partner status, and gender identity/perception/expression
  ○ Procedural Manuals created
  ○ Removes Non-Fraternization Policy, but still exists
Non-Fraternization

- No employee shall engage in or maintain a romantic relationship with another employee for which they manage, supervise or may control or influence the supervision, evaluation or compensation of the other.

- Romantic relationships between Board employees where there is no supervisory affiliation are not prohibited by this policy.
New Policy Communication

- The policy will be accessible via the CPS, Board Rules, EOCO, Law, & OSP websites
- Posters will be displayed at all schools, Central Office, network locations
- Policy must be maintained in all schools’ main offices, Central Office, administrative and network offices
- Principals must review the Policy with their staff prior to the start of each school year annually
- Effective 9/3 new hires will be required to complete the EOCO Sexual Harassment and Discrimination Training & Policy Acknowledgement
Policy Oversight Departments

**EOCO**
Equal Opportunity Compliance Office
- Adult-to-adult
- Student-to-adult
  - Discrimination, Harassment and Retaliation

**OSP**
Office of Student Protections
- Student-to-student
  - Sexual Misconduct, Harassment, Discrimination and Retaliation

**OIG**
Office of Inspector General
- Adult-to-student
  - Sexual Misconduct

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Chicago Public Schools
Covered Individuals

- Employees
- Students
- Contractors
- Consultants
- Vendors
- Volunteers
- Members of the Board of Education of the City of Chicago
- Local School Council Members
Where Does the Policy Apply?

- Digital spaces (including social media, emails, and texts)
- Board’s Administrative Offices and schools
- During work-related assignments on or off Board property
- During school- or work-related extracurricular or social functions
- Anywhere Covered Individuals interact
Key Definitions
Protected Categories

Actual or perceived:
- Age (40 and above)
- Immigration Status
- Genetic information
- Mental or Physical Disability
- Race, Color, or Ethnicity
- Registered Domestic Partner Status or Marital Status
- Gender or Sex (includes gender expression/identity and pregnancy related medical conditions, etc.)
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.
Discrimination is Prohibited in:

- Recruitment
- Promotion
- Benefits
- Transfers
- Hiring
- Any term or condition of employment
Harassment

Unwelcome verbal, nonverbal, visual, and/or physical conduct that is based on the person’s real or implied membership in one or more of the Protected Categories.
Types of Harassment

- **Hostile Work Environment**
  Includes Harassment and Sexual Misconduct as defined by the Policy

- **Quid Pro Quo (Sexual)**
  Principal or other supervisor conditions an employment benefit (e.g. promotion) on a teacher’s agreement to engage in his or her sexual demands

- **Third Party Harassment**
  Offended individual is not the direct recipient of the harasser’s conduct
Examples of Harassment

**Verbal**
- Inappropriate, insulting, or offensive name calling or comments
- Repeatedly asking a coworker out for a date after being told “NO”

**Nonverbal**
- Provocative, threatening or offensive hand gestures
- Lewd and suggestive leering, posture and body movements

**Visual**
- Provocative, lewd or suggestive pictures, posters, texts, memes/GIFs or emails
- Inappropriate, derogatory, or offensive social media interactions

**Physical**
- Unwanted rubbing and/or hugging, touching or pinching an individual
- Providing or receiving unwanted or inappropriate gifts
Retaliation

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 or participating or aiding in an investigation of Discrimination, Harassment, or Sexual Misconduct, whether internal or external with a federal, state, or local agency.
Reporting Procedures
Employee Assistance Program (EAP)

If you believe you have experienced Discrimination, Harassment, and/or Retaliation and would like to obtain free and confidential counseling then please contact the Employee Assistance Program at

1-800-424-4776 or visit www.magellanasascend.com

Magellan will not share information with the EOCO

To report Discrimination, Harassment, and/or Retaliation contact the EOCO directly
Timely Reporting:
EOCO is Here to Help

- Report complaints of Discrimination, Harassment or Retaliation to the EOCO within 90 calendar days of the incident(s)
- The EOCO has the discretion to investigate allegations outside the 90 calendar day window
- Supervisors, Administrators, Assistant Principals, Principals and/or Network Chiefs are obligated to report receipt or knowledge of allegations to the EOCO within three (3) business days
- No school or department-based investigation or discipline may be initiated or imposed regarding allegations of Discrimination, Harassment, or Retaliation until the EOCO or the Law Department has been contacted and have determined next steps
**Investigative Procedures**

**EOCO Receives Complaint**
- Via fax, phone, email in-person, anonymously, etc.
- Determine department owner
- Send Complainant confidential EOCO Discriminations forms
- Case file is opened

**EOCO Investigates**
- Case assigned to an Investigator
- Interim steps to eliminate or reduce contact between parties if necessary
- Investigator interviews parties involved & collects evidence
- Conducts analysis of the case

**Determination Rendered**
- Substantiated
- Unsubstantiated
- Referral for discipline
- Corrective Action rendered at EOCO discretion
Violations and Discipline

It is a violation to not abide by this Policy and... you can be disciplined.
Wrap-Up

- New Policy effective 9/3/19
- Covered Individual: anyone receiving or providing Board services
- Complaints are to be made within 90 calendar days
- Principals, Administrators, Assistant Principals, and/or Supervisors report knowledge of complaints to EOCO within 3 business days
- Report: EOCO (adult-to-adult and student-to-adult)
  OSP (student-to-student)
  OIG (adult-to-student)
- Policy violations can occur off school and Board property
- Harassment is not limited to sexual harassment
- Retaliation can be substantiated even if the underlying allegations are not
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