



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
and
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

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.)

DISCRIMINATION



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:



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"

Visual

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

Nonverbal

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

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.magellanascend.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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