Chicago Public Schools
Office of Student Protections & Title IX (OSP) Procedure Manual
Effective November 1, 2019
Version 2.0 - Last Revised on 10.31.19

TABLE OF CONTENTS

I. Introduction
   A. Purpose
   B. Office of Student Protections & Title IX (OSP)
   C. Office of Inspector General (OIG)
   D. Equal Opportunity Compliance Office (EOCO)
   E. Title IX of the Education Amendments of 1972 (Title IX)

II. Definitions
   A. Consent
   B. CPS-Affiliated Adult
   C. Retaliation
   D. Sex/Gender-Based Discrimination
   E. Sex/Gender-Based Harassment
   F. Sexual Misconduct

III. Reporting Procedures
   A. Reporting Requirements
   B. Timely Reporting
   C. Mandatory Procedure for Reporting Sex/Gender-Based Discrimination, Harassment and Sexual Misconduct Concerns Against a Student
   D. Procedure for Reporting Sex/Gender-Based Discrimination, Harassment or Sexual Misconduct Concerns Against a CPS-Affiliated Adult
   E. Amnesty
   F. Request to Not Investigate
   G. Student Refusal to Participate in Investigation

IV. Case Procedures
   A. General Guidelines
   B. Intake and Review of Report
   C. Designation of Investigation Type
   D. Notification to School
   E. Complaint Received Notice to Parties
   F. Interim and Support Measures
   G. CPS Investigations
   H. Outcome Notices
   I. Discipline

Effective November 1, 2019 (Version 2.0 - Last Revised on 10.31.19)
J. Resolution Timeframe
K. Appeal Procedures
L. Recordkeeping
M. Related OSP Procedures

Appendices

- Appendix A: Mandatory Procedure for Reporting Sexual Misconduct
- Appendix B: Student Rights in Investigations of Sexual Misconduct
- Appendix C: Responding to Incidents Involving Electronic Communications of a Sexual Nature
- Appendix D: Resource Guide
I. INTRODUCTION

A. Purpose: This Office of Student Protections & Title IX (OSP) Procedure Manual is incorporated into the Board of Education of the City of Chicago’s (Board) Comprehensive Non-Discrimination, Harassment, Sexual Misconduct and Retaliation Policy approved by the Board on May 22, 2019. The purpose of this OSP manual is to outline the procedures for the prompt and equitable resolution of complaints alleging sex/gender-based discrimination, harassment, sexual misconduct or retaliation, all of which are prohibited by Board Policy and Title IX of the Education Amendments of 1972 (Title IX). Additionally, this OSP manual supports Chicago Public Schools’ (CPS) policies (Guidelines Regarding Maintaining Professional Staff/Student Boundaries, Staff Acceptable Use Policy, Reporting of Child Abuse, Neglect, and Inappropriate Relations Between Adults and Students and Domestic Violence, Dating Violence and Court Orders of Protection, Restraint or No Contact) and student policies (Student Code of Conduct, Student Acceptable Use Policy).

B. OSP: As of September 4, 2018, the OSP is responsible for coordinating the CPS response to promptly investigate, stop, prevent and remedy all incidents of sex/gender-based discrimination, harassment, sexual misconduct and retaliation and ensuring compliance with Title IX. OSP works with schools to receive reports/complaints, investigate incidents, provide interim and support measures, and long-term remedies as needed. OSP also provides connections to counseling and advocacy, as well as guidance to schools and families on reporting to police and DCFS. Additionally, OSP provides regular training on how to recognize, prevent and appropriately respond to sexual misconduct incidents.
  ■ OSP can be reached at 773-535-4400 and osp@cps.edu.

C. OIG: As of October 1, 2018, the Board’s Office of Inspector General (OIG) is responsible for conducting the investigation of sexual misconduct allegations involving CPS-affiliated adults-to-students. The OIG coordinates with OSP to conduct an independent investigation, issue their findings and to ensure students are receiving appropriate support.
  ■ OIG can be reached at 833-TELL-CPS.

D. EOCO: The Equal Opportunity Compliance Office (EOCO) is located within the OSP and is responsible for conducting the investigations for all sex/gender-based discrimination, harassment and sexual misconduct allegations involving CPS-affiliated adults or students against a CPS-affiliated adult.
  ■ EOCO can be reached at 773-553-1013 and eoco@cps.edu.

E. Title IX: As a school district receiving federal financial assistance, Title IX of the Education Amendments of 1972 (Title IX) applies to CPS, including all of its schools, educational programs and activities.
  ■ Title IX states that “No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance.”
  ■ The Board’s Title IX Coordinator is responsible for coordinating CPS efforts to comply with and carry out the district’s responsibilities under Title IX and its implementing regulations to investigate, stop, prevent and remedy sex/gender-based discrimination, harassment and sexual misconduct. Additional information, including the contact information for the Board’s Title IX Coordinator, can be found at www.cps.edu/osp.

Effective November 1, 2019 (Version 2.0 - Last Revised on 10.31.19)
II. DEFINITIONS

A. Consent is defined as:

- **Informed.** A person must understand the who, what, when, where and nature of the activity.
- **Active.** Verbal or nonverbal actions that clearly show willingness to participate in the activity. Not saying no does not mean yes; No means No. Stop means Stop.
- **Voluntary.** Freely given without the use of force, coercion, manipulation, or threats.
- **Specific.** Consent must be present every time, for every action. Consent to engage in one type of activity is not consent to engage in a different type of activity.
- **Ongoing.** A person can take back consent at any time. Once consent is taken back, all activity must stop.
- **A person cannot give consent if they:**
  - Are incapacitated from voluntary or involuntary drug or alcohol use;
  - Are asleep or unconscious;
  - Have a physical, developmental or cognitive difference that prevents them from understanding what is happening; or
  - Are a minor who is under the age to legally consent to sexual activity under state law even if the minor welcomed the sexual activity.

B. CPS-affiliated adult includes, but is not limited to, employees (part- or full-time), vendors, contractors, Board or Local School Council (LSC) members, and volunteers.

C. Retaliation: Any materially adverse action (e.g.: employment or academic action or adverse change in employment or academic status), taken against an individual 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 for participating or aiding in an investigation of Discrimination, Harassment, or Sexual Misconduct, whether internal, or external with a federal, state, or local agency. An adverse action can include, but is not limited to, discipline or denial of access to a service or benefit.

D. Sex/Gender-Based Discrimination: Treating an individual differently because of their actual or perceived sex/gender to include pregnancy/childbirth (or related medical conditions and parental status), sexual orientation, gender identity and gender expression.

E. Sex/Gender-Based Harassment: Unwelcome verbal, nonverbal, visual, and/or physical conduct that is based on an individual’s actual or perceived sex or gender that creates a hostile environment. A hostile environment is created when conduct is sufficiently persistent, pervasive or severe, and objectively offensive that it unreasonably interferes with, limits, or denies an individual’s educational or employment access, benefits, or opportunities. Unwelcome conduct may include, but is not limited to, bullying, intimidation, offensive jokes, slurs, epithets or name calling, assaults or threats, ridicule or mockery, insults or put-downs, offensive objects or pictures, messages sent via email, text or social media, or any other conduct that is based on an individual’s actual or perceived sex or gender.

F. Sexual Misconduct is any conduct of a sexual nature that is unwelcome or inappropriate. CPS uses ten (10) categories to group sexual misconduct incidents:

- **Grooming:** When someone builds a relationship, trust and/or emotional...
connection with a child or young person so they can manipulate, exploit and/or abuse them.

- **Sexual Violence:** Sexual conduct, or attempted sexual conduct that occur without the consent of one or more parties, that may or may not involve the use of implicit or implied force. This includes any unwelcome oral, anal or vaginal penetration, however slight, with any object by a person upon another person.

- **Inappropriate Touching:** Knowingly or intentionally making or attempting to make unwelcome physical contact of genitals, anus, groin, or breasts, whether direct or indirect through clothes or with an object or any other intentional bodily contact in a sexual manner.

- **Sexual Harassment:** Unwelcome verbal, nonverbal, visual, and/or physical conduct that is based on an individual’s actual or perceived sex or gender that creates a hostile environment. A hostile environment is created when conduct is sufficiently persistent, pervasive or severe, and objectively offensive that it unreasonably interferes with, limits, or denies an individual’s educational or employment access, benefits, or opportunities. This includes sexual advances, requests for sexual favors, intimidation, offensive remarks of a sexual nature and other verbal, nonverbal, or physical conduct of a sexual nature.

- **Dating Violence:** Violent, controlling, or intimidating behavior that an individual uses against a current or former intimate partner. It can include emotional, physical and sexual abuse, stalking, yelling, harassing, threatening, name-calling, threats of suicide, obsessive phone calling or text messaging, extreme jealousy and possessiveness.

- **Sexual Electronic Communication:** Intentionally viewing, creating, possessing, or sharing sexual language or images/recordings without the consent of one or more parties.

- **Stalking:** Engaging in a course of conduct directed at a specific person – on the basis of sex/gender – that would cause a reasonable person to fear for the person’s safety or the safety of others, or to suffer substantial emotional distress.

- **Sexual Bullying:** Severe, pervasive or persistent unwelcome conduct of a sexual nature or based on a person’s sexuality or gender that is based on an imbalance of power or power and control with an intent to cause harm.

- **Sexual Exploitation:** Taking non-consensual or abusive sexual advantage of another person for their own benefit or the benefit of a third party (e.g.: for the purpose of sexual gratification, financial gain, personal benefit or advantage), or any other non-legitimate purpose.

- **Exposure/Voyeurism/Masturbation:** Non-consensually exposing one’s genitals, anus, buttocks, or breasts in a sexual nature; watching others when their body parts are exposed without their consent; or touching one’s own genitals for sexual pleasure.

### III. REPORTING PROCEDURES

Effective November 1, 2019 *(Version 2.0 - Last Revised on 10.31.19)*
A. Reporting Requirements

■ Employee Reporting of Sex/Gender-Based Discrimination, Harassment, and Sexual Misconduct

- All CPS employees are required to report all sex/gender-based discrimination, harassment, and sexual misconduct concerns they become aware of in the scope of their role at CPS. For purposes of these procedures, CPS employees include all:
  - Full and Part-Time Staff
  - Vendors
  - Contractors
  - Consultants

- Employees must follow the reporting procedures outlined in Section III.C and III.D. below for all incidents of sex/gender-based discrimination, harassment, sexual misconduct, and retaliation of which they become aware.

- It is the expectation of CPS that all volunteers and LSC members also follow these reporting procedures for concerns of sex/gender-based discrimination, harassment, sexual misconduct, and retaliation of which they become aware within the scope of their role with CPS.

■ Mandated Reporting of Child Abuse

- Per Board policy, all mandated reporters must report to the Illinois Department of Children and Family Services (DCFS) abuse or neglect, as well as any interactions or behaviors which suggest that an adult has or had an inappropriately intimate relationship with a child or may be grooming a child, even if the employee does not have reasonable suspicion that sex abuse is occurring or has occurred.

- “Mandated reporters” include all school personnel (including administrators and both certificated and non-certificated school employees), educational advocates assigned to a child pursuant to the School Code, social workers, registered nurses, licensed practical nurses, recreational program personnel, registered psychologists, psychiatrists, physicians, and others.

- For more information, see the Board policy on Reporting of Child Abuse, Neglect and Inappropriate Relations between Adults and Students.

B. Timely Reporting: Complaints of sexual misconduct and retaliation that CPS Employees become aware of shall be made as soon as possible, but no later than three (3) calendar days of the receipt of complaint. The three (3) calendar day reporting requirement shall be strictly applied, except when the Title IX Coordinator determines, in their discretion, that extraordinary circumstances exist and authorizes a waiver of the three (3) day reporting requirement.

C. Mandatory Procedure for Reporting Sex/Gender-Based Discrimination, Harassment or Sexual Misconduct Concerns Against a Student: All staff, vendors, contractors, and consultants are required to report all sex/gender-based discrimination, harassment, and sexual
misconduct they are aware of. Once you receive a report, you must take the following steps:

■ Ensure the safety and well-being of the student disclosing to you.
■ If it is an emergency, per the Student Code of Conduct, notify 911.
■ If you suspect child abuse or neglect, notify the Illinois Department of Children and Family Services (DCFS) at 800-252-2873 (1-800-25-ABUSE). Also, notify your school principal.
■ Notify the Office of Student Protections and Title IX at 773-535-4400 for all reports of sex/gender discrimination, harassment and sexual misconduct.
■ If the report involves a student impacted by sexual misconduct by a CPS-affiliated adult, notify the Office of Inspector General (OIG) at 833-835-5277 (833-TELL-CPS).
■ Always remember to file an incident report.

D. Procedure for Reporting Sex/Gender-Based Discrimination, Harassment or Sexual Misconduct Concerns Against a CPS-Affiliated Adult: All reports of sex/gender-based discrimination, harassment or sexual misconduct by a CPS-affiliated adult or student against another CPS-affiliated adult should be reported to the Equal Opportunity Compliance Office (EOCO) Administrator at 110 N. Paulina Street, Chicago, Illinois 60612, 773-553-1013.

E. Amnesty: CPS supports and encourages reporting of all sexual misconduct and considers addressing all misconduct a priority. A complainant who makes a good faith report of sex/gender-based discrimination, harassment, sexual misconduct, or retaliation, or a witness who shares what they know will not be subject to disciplinary action for any minor policy violations related to the incident being reported. Amnesty does not apply to more serious policy violations such as physical abuse of another or illicit drug distribution.

F. Request to Not Investigate: Once a report is received or any point during the investigation, the complainant can state they do not want an investigation, but OSP may have an obligation to move forward based on a threat to the community. When the complainant requests that no investigation into a particular incident be conducted or disciplinary action taken, OSP will assess the request against the district’s obligation to provide a safe environment for all within the district community, including the complainant. There are times when the district may proceed with the investigation and/or discipline despite the request for no investigation. When a complaint involves an employee, the district will, absent extenuating circumstances, move forward with the procedures detailed below.

G. Student Refusal to Participate in Investigation: Any student may refuse to participate in an investigation, though the investigation may still continue and result in a determination of an outcome based on available information.

IV. CASE PROCEDURES

A. General Guidelines: The following procedures will be followed when the Office of Student Protections & Title IX (OSP) receives a report of sex/gender-based discrimination, harassment or sexual misconduct. All reporting and investigative steps should be documented in Aspen or a related incident reporting system. School administrators shall not take any of
the following steps prior to calling OSP, OIG, DCFS and/or CPD as applicable.

B. **Intake and Review of Report**: Once OSP receives a report of sexual misconduct involving a student, an OSP Coordination Specialist will conduct an intake, review the information received and determine whether the complaint will be accepted by OSP as a case. A complaint will not be accepted as a case if the report involves a matter over which the District does not have jurisdiction (e.g. home-based abuse, etc.). OSP will, at all times, provide support to the student whether or not the District has jurisdiction.

C. **Designation of Investigation Type**: Once a complaint is accepted as a case, OSP will designate a misconduct category and an investigation type. The following investigation types can be designated:

- **OSP Investigation**: For severe or complex incidents that involve significant factors, an OSP investigator will be assigned to investigate the sexual misconduct incident. An OSP investigator responds to the school upon the OSP Coordination Specialist’s decision to open it for OSP investigation. The OSP investigator will need access to the Title IX School Representative, access to all parties / students involved, a private location for interviews, and all relevant evidence and documents.

- **School-Based Investigation**: For less severe incidents, an OSP Coordination Specialist will ask the school and its Title IX School Representative to conduct a school-based investigation. School-based investigations are led by school administrators and Title IX School Representatives. OSP will provide the school guidance and a school **must not conduct an investigation** unless directed to do so by OSP.

- **Office of Inspector General (OIG) Investigation**: Complaints involving concerns of sexual misconduct by CPS-affiliated adults against a student will be handled by the OIG, which will determine if there will be an OIG investigation. The OIG, in consultation with OSP, will assess the complaint and OIG will assign an investigator. OSP will provide students, families and schools any assistance they require while OIG conducts their investigation.

- **EOCO Investigation**: For incidents involving a CPS-affiliated adult or student against a CPS-affiliated adult, OSP will assign an EOCO investigator who will work in conjunction with the school or worksite to conduct the investigation.

D. **Notification to School**: Within 24 hours, OSP will send the school a designation of investigation and follow-up communication letting the school know what type of investigation, if any, will occur.

E. **Complaint Received Notice to Parties**: OSP will also provide schools with letter templates that serve as notice to parties upon the opening of a case, informing the parent(s)/guardian(s) of respondent(s) and complainant(s) of the following:

- The classification of allegations made
- A summary of the allegations made
- The type of investigation that will occur
- The rights of the student to interim and support measures
- In-school and local resources available to the student(s)
- Applicable policies and procedures

Effective November 1, 2019 *(Version 2.0 - Last Revised on 10.31.19)*
Schools must send these notification letters in a timely manner and ensure it is appropriately documented.

F. **Interim and Support Measures:** In all incidents, OSP will coordinate with schools/worksites to provide the parties with individualized interim and support measures, as applicable. Available interim and support measures include, but are not limited to, the following:

- Check-In/Check Out (CICO) interventions
- Counseling or social work support at school
- Safety Plan and No Contact Directives
  - A Safety Plan can provide flexibility in a party’s access to educational/work spaces in order to feel safe and succeed academically/professionally. In cases of sexual misconduct, a Safety Plan may be appropriate to keep parties separate and safe. A Safety Plan may also prioritize elements of emotional safety and coping mechanisms.
  - A No Contact Directive can help ensure the parties have no unnecessary contact or communication and can include additional restrictions (such as location) to best facilitate the No Contact Directive.
  - If a Safety Plan and/or No Contact Directive restricts access to school/work spaces or events, the plans should be equitably restrictive on all parties in a case prior to an outcome determination.
  - Regardless of the outcome of a case, a continued Safety Plan and/or No Contact Directive may be considered in consultation with OSP for the continued well-being of the parties.
- Connection to external counseling, support, and/or advocacy services. For more information on specific referrals, see the Resource Guide in Appendix D.
- Extensions of time to complete assignments, modifications to course/work schedules, or any other course/work-related adjustments
- To ensure the safety and well-being of the school environment in the presence of an immediate threat, a school may consult with OSP, Network Offices, the Office of Social Emotional Learning (OSEL), and Safety and Security to explore additional options of removal or placement.
- Interim and support measures may be provided to a party during and following an investigation. Also, interim and support measures will be offered to a party even if OSP does not accept a complaint as a case when needed to address any in-school/work effects on a party.
- Additionally, measures may be provided District-wide, school-wide or throughout a work site, such as increased security, policy exceptions, educational programming, etc. if needed to stop, prevent and remedy and discrimination, harassment or sexual misconduct.

G. **CPS Investigations:** All investigations will be conducted in a prompt, thorough, fair and impartial manner.

- Schools and CPS employees should never undertake their own investigations, unless specifically directed by OSP to conduct a school-based investigation.

Effective November 1, 2019 *(Version 2.0 - Last Revised on 10.31.19)*
Each investigation will include the following steps:
- Interviewing all parties and conducting follow-up interviews as needed while making a good faith effort to notify the parties of any meeting or interview in advance when possible;
- Allowing each party the opportunity to provide any evidence, suggest witnesses and questions they wish the investigator to ask of the other party and witnesses;
- Interviewing all available relevant witnesses and conducting follow-up interviews as necessary;
- Completing the investigation promptly and without unreasonable deviation from the intended timeline;
- Providing regular status updates to the parties throughout the investigation;
- Writing a comprehensive final investigation report fully summarizing the investigation, all witness interviews, and addressing all relevant evidence;
- A decision-maker reviewing all of the material, rendering a determination of responsibility based upon a preponderance of the evidence standard, and determining appropriate disciplinary action in coordination with other relevant administrators, if applicable.

Special Consideration: When responding to sexual misconduct incidents, OSP takes into special consideration other factors, including but not limited to age, language ability, and disability status of students.

Impact of CPD and DCFS Investigations: CPD and DCFS investigations are separate from OSP and OIG investigations, and they may be complementary or simultaneous. A call to CPD and/or DCFS does not suffice a call to OSP and/or OIG, and vice versa.

H. Outcome Notices: OSP also provides schools with letter templates that serve as notice of the outcome of an OSP or school-based investigation.

- Upon completion of an investigation, the letters will be sent to inform the parent(s)/guardian(s) of respondent(s) and complainant(s) of the following:
  - Whether the outcome of the investigation was substantiated or unsubstantiated
  - Which policies were violated
  - A rationale for the outcome
  - The classification of the allegations found
  - The continued access to support measures and resources for all students involved
  - That the Student Code of Conduct (SCC) and Employee Policies will be followed for any consequences related to the outcome
  - Appeal procedures

- Outcomes notices will typically be sent within three (3) calendar days of the decision, which can be extended as necessary for appropriate cause by the Title IX Coordinator, with notice to the parties as appropriate.

Effective November 1, 2019 (Version 2.0 - Last Revised on 10.31.19)
I. **Discipline:** Appropriate disciplinary action will be taken when an individual is found to have engaged in sex/gender-based discrimination, harassment, sexual misconduct or retaliation in violation of the Board’s Policy on Comprehensive Non-Discrimination, Harassment, Sexual Misconduct and Retaliation.

- **Students:** The school is responsible for next steps regarding restorative actions and/or discipline for students. OSP can provide advice and guidance as necessary.
  - Students who violate the Board’s Policy on [Comprehensive Non-Discrimination, Harassment, Sexual Misconduct and Retaliation](#) are subject to disciplinary action pursuant to the [Student Code of Conduct](#), which may be amended from time to time.
  - Discipline should be implemented immediately once the outcome of an OSP or school-based investigation is communicated.
  - If a student has an IEP/504 plan, consultation with the District Office of Diverse Learning Supports & Services (ODLSS) Representative shall occur and a Manifestation Determination Review will ensue.

- **Employees:** Employee Discipline Committee, which OSP is a voting member, will coordinate with the appropriate individual(s) within CPS to determine the appropriate disciplinary action for employees. Employees who violate the Board’s Policy on Comprehensive Non-Discrimination, and Harassment, Sexual Misconduct and Retaliation are subject to disciplinary action up to and including termination.

- **Contractors, Consultants or Vendors:** OSP will coordinate with the appropriate individual(s) within CPS to determine the appropriate disciplinary action for contractors, consultants or vendors which can include any remedies of law or remedies pursuant to their contract.

- **Volunteers:** OSP will coordinate with the appropriate individual(s) within CPS to determine the appropriate disciplinary action for volunteers which can include, but is not limited to, having their authorization to serve as a volunteer rescinded.

J. **Resolution Timeframe:** Investigations will be completed promptly although some investigations take weeks or even months, depending on the nature, extent, and complexity of the allegations, availability of witnesses, police involvement, etc.

- OSP, EOCO and OIG will make a good faith effort to complete the resolution process, not including appeals and discipline, within a sixty (60) calendar day time period, which can be extended as necessary for appropriate cause by the Title IX Coordinator, with notice to the parties as appropriate.

- School-based investigators will make a good faith effort to complete the resolution process, not including appeals, within ten (10) calendar days which can be extended as necessary for appropriate cause by the Title IX Coordinator, with notice to the parties as appropriate.

K. **Appeal Procedures**

- **Appeal Process for School-Based Investigations**
  - **Making an Appeal Request:** Any party has the opportunity to appeal the outcome of a school-based investigation to the Director of Investigations through a written request, within ten (10) calendar days of receiving an
investigative outcome notification letter. Appeals can be made on any of the following grounds:

- procedural error occurred;
- new information exists that would substantially change the outcome of the finding; or
- the sanction is disproportionate to the violation (see below for Appealing Related Disciplinary Consequences).

- When exigent circumstances exist, limited extensions may be granted at the discretion of OSP. Any party may submit their request in person or by mail to the office address listed below, or they may submit their request via e-mail to ospappeals@cps.edu with the subject line of “OSP Appeal for [Student Name - DOB: XX/XX/19XX].”
  ○ Director of Title IX Investigations
  Office of Student Protections and Title IX
  110 N. Paulina Street, Chicago, IL 60612
  Phone: 773-535-4400
  E-Mail: ospappeals@cps.edu

- Receiving a Decision on your Appeal: The Director of Investigations shall render a determination within ten (10) calendar days of receiving the written request for appeal. The Director of Investigations shall notify the party requesting the appeal of the decision and shall document that notification in OSP records.

- Appealing Related Disciplinary Consequences: Please note that the Director of Investigations is only reviewing the outcome of a Title IX school-based investigation and not the related discipline consequences since they are not issued by the OSP. Any party may choose to appeal a disciplinary consequence if they believe the sanction is disproportionate to the violation by contacting Network Chiefs and/or Student Adjudication in this manner:
  ○ Appeals for discipline consequences involving suspensions should be submitted to Network Chiefs.
  ○ Appeals for discipline consequences involving expulsions should be submitted to Student Adjudication.

■ Appeal Process for OSP and EOCO-Led Investigations

- Making an Appeal Request: Any party has the opportunity to appeal the outcome of an OSP or EOCO-led investigation to the Title IX Officer through a written request, within ten (10) calendar days of receiving an investigative outcome notification letter. Appeals can be made on any of the following grounds:
  ○ procedural error occurred;
  ○ new information exists that would substantially change the outcome of the finding; or
  ○ the sanction is disproportionate with the violation (see below for

Effective November 1, 2019 (Version 2.0 - Last Revised on 10.31.19)
Appealing Related Disciplinary Consequences.

- When exigent circumstances exist, limited extensions may be granted at the discretion of OSP. Any party may submit their request in person or by mail to the office address listed below, or they may submit their request via e-mail to ospappeals@cps.edu with the subject line of “OSP Appeal for [Student Name - DOB: XX/XX/19XX].”
  - Title IX Officer
  Office of Student Protections and Title IX
  110 N. Paulina Street, Chicago, IL 60612
  Phone: 773-535-4400
  E-Mail: ospappeals@cps.edu

- Receiving a Decision on your Appeal: The Title IX Officer shall render a determination within ten (10) calendar days of receiving the written request for appeal. The Title IX Officer shall notify the party requesting the appeal of the decision and shall document that notification in OSP records.
- Appealing Related Disciplinary Consequences: Please note that the Title IX Officer is only reviewing the outcome of an OSP or EOCO-led investigation and not the related discipline consequences since they are not issued by the OSP or EOCO. Any party may choose to appeal a disciplinary consequence if they believe the sanction is disproportionate to the violation by contacting Network Chiefs and/or Student Adjudication in this manner:
  - Appeals for discipline consequences involving suspensions should be submitted to Network Chiefs.
  - Appeals for discipline consequences involving expulsions should be submitted to Student Adjudication.

L. Recordkeeping: The Board’s Title IX Coordinator shall be responsible for maintaining records related all Title IX complaints received by the District. This includes, but is not limited to the following information for each complaint:

- Relevant information related to the complainant, respondent and identified witnesses;
- Name and title of the person who received the complaint;
- Date, time, nature and location of reported incident;
- Date the District became aware of the incident;
- Date the Title IX Coordinator received notice of the incident;
- Interim and support measures and resources offered to the parties;
- Final investigation reports;
- Outcome notification letters provided to the parties; and
- Disciplinary sanctions issued to individuals found in violation under these procedures.

M. Related OSP Procedures

- **Student Rights in Investigations of Sexual Misconduct:** All students involved in an investigation, should receive a copy of their student rights which can be found

Effective November 1, 2019 *(Version 2.0 - Last Revised on 10.31.19)*
in Appendix B. Administrators should familiarize themselves with the language in this appendix to be able to share the information with students and their families.

■ **Staff Response to Incidents Involving Electronic Communications of a Sexual Nature:** For guidance on managing electronic communications involved in sexual misconduct incidents, see Appendix C.
LIST OF APPENDICES

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- Appendix D: Resource Guide

Effective November 1, 2019 (Version 2.0 - Last Revised on 10.31.19)
MANDATORY PROCEDURE
FOR REPORTING

SEXUAL MISCONDUCT

All staff, vendors, contractors, and consultants are required to report sexual misconduct or concerning behavior they are aware of. If you are receiving a disclosure from a student, first ensure their safety and well-being.

1. FOR ALL CONCERNING BEHAVIOR, FIRST:
   - NOTIFY 911 if it is an emergency, per the Student Code of Conduct.
   - NOTIFY THE ILLINOIS DEPARTMENT OF CHILDREN AND FAMILY SERVICES (DCFS) if you suspect child abuse or neglect at 1-800-252-2873 (1-800-25-ABUSE). Also notify your school principal.

2. THEN FOLLOW THESE STEPS DEPENDING ON THE ACCUSED PARTY:
   - CPS-AFFILIATED ADULTS: If it involves a student impacted by sexual misconduct by CPS-affiliated adults, follow this step:
     - NOTIFY THE OFFICE OF INSPECTOR GENERAL (OIG) at 1-833-TELL-CPS (1-833-835-5277)
   - OR
     - STUDENTS or PARTIES NOT AFFILIATED WITH CPS: For all other instances that involve a CPS student, follow this step:
     - NOTIFY THE OFFICE OF STUDENT PROTECTIONS AND TITLE IX (OSP) at 1-773-535-4400

ALWAYS REMEMBER TO FILE AN INCIDENT REPORT.

What Is Sexual Misconduct?
Sexual misconduct is defined as any conduct of a sexual nature that is unwelcome or inappropriate, including but not limited to, sexual harassment, sexual assault, grooming, child sexual abuse, dating violence, and inappropriate touch or electronic recordings of a sexual nature.

For more information or to contact your Title IX School Representative, visit our website at: CPS.EDU/OSP

Title IX School Representatives are school-based staff with specialized training on how to prevent and respond to sexual misconduct concerns.
Appendix B: Student Rights in Investigations of Sexual Misconduct

When the Office of Student Protections & Title IX (OSP) learns about something that might be negatively impacting a student in a way that is sexual - including sexual harassment, sexual assault, or dating violence - we will do an investigation. As part of that investigation, we talk with students involved to hear their side of the story and what happened. After that, we decide if something “more likely than not” happened, and if it did, let your school know and they will respond. Below are your rights in that process.

- You have the right to have a prompt, thorough, fair and impartial investigation conducted
- You have a right to be heard and to share your experience
- You have a right to let us know if you do not feel safe
- You have a right to receive individualized interim and support services at your school
- You have a right to have a support person you choose in the room with you
- You have a right to meet somewhere private
- You have a right for us to keep what you tell us as private as possible
- You have a right to not answer any questions or be part of the investigation
- You have a right to share with us any evidence, names of witnesses, or information you know connected to the case
- You have a right to ask for an update on your case
- You have a right to access the information gathered during the investigation and that evidence that will be used to make a determination
- You have a right to know the outcome of the investigation
- You have a right to ask for a review of the outcome of the investigation
- You have a right to be free from retaliation

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Appendix C: Staff Response to Incidents Involving Electronic Communications of a Sexual Nature

Purpose:

While you must notify OSP regarding all electronic communications that are sexually inappropriate, this guidance is focused on electronic communications which are pictures or recordings of a minor’s breasts, genitals, buttocks, or engagement in a sex act.

Guidance:

Do not view electronic communication. If there is a suspicion of child pornography, please respond as outlined below.

It is illegal to possess child pornography. Therefore:

- Do not ask the picture be sent or shown to a staff member, screenshot, uploaded into Aspen, or shared in any way.
- Do not instruct a student to retain possession of the picture or recording.

To Respond:

1. Call CPD at 312-492-3810 for next steps
   - CPD will either (1) instruct you to ask the student to delete the image, or (2) instruct you to take the phone until they retrieve the phone.
2. Call OSP at 773-535-4400.
   - OSP will guide you through the next steps.
3. Call DCFS at 800-252-2873 (800-25-ABUSE)
4. Call National Center for Missing and Exploited Children (1-800-843-5678 or https://report.cybertip.org/) if the image has been circulated online or on a social media platform.
<table>
<thead>
<tr>
<th><strong>Appendix D: Resource Guide</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>CPS Employee Assistance Program</strong></td>
</tr>
<tr>
<td><strong>Chicago Rape Crisis Hotline</strong></td>
</tr>
<tr>
<td><strong>Illinois Dept. of Children and Family Services</strong></td>
</tr>
<tr>
<td><strong>Chicago Children’s Advocacy Center</strong></td>
</tr>
<tr>
<td><strong>YWCA Metropolitan Chicago</strong></td>
</tr>
<tr>
<td><strong>Resilience (formerly Rape Victim Advocates)</strong></td>
</tr>
<tr>
<td><strong>Mujeres Latinas en Acción</strong></td>
</tr>
<tr>
<td><strong>Youth Outreach Services</strong></td>
</tr>
<tr>
<td><strong>Between Friends</strong></td>
</tr>
</tbody>
</table>

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| **Garfield Park Behavioral Hospital** | Behavioral health and psychiatric support to children and teens ages 3 to 17, including for problematic sexual behavior. | 773-265-3700 | [https://garfieldparkhospital.com/](https://garfieldparkhospital.com/) |
| **KAN-WIN** | Provides domestic and sexual violence support and advocacy focused on Asian American survivors. Confidential location. | 773-583-0880 | [http://www.kanwin.org/](http://www.kanwin.org/) |
| **Broadway Youth Center** | A safe haven for LGBTQ youth. Health clinic, drop-in services, counseling and resource advocacy. Uptown. | 773-388-1600 | [https://howardbrown.org/service/broadway-youth-center/](https://howardbrown.org/service/broadway-youth-center/) |
| **Life Span** | Specializes in court advocacy for orders of protection and other civil legal remedies, as well as counseling for domestic and sexual violence. Loop. | 312-408-1210 | [https://life-span.org/](https://life-span.org/) |
| **A Long Walk Home** | Uses art to engage and empower adolescent girls around their experiences of violence in a variety of school-based programs. | 877-571-1751 | [http://www.alongwalkhome.org/](http://www.alongwalkhome.org/) |
| **Illinois Safe Schools Alliance** | Promotes healthy development for LGBTQ youth in IL schools through advocacy, education and youth organizing. Loop. | 312-629-2988 | [https://www.ilsafeschools.org/](https://www.ilsafeschools.org/) |
| **Illinois Caucus for Adolescent Health** | Engages youth and communities through peer education around sexual health and reproductive justice. Loop. | 312-427-4460 | [https://www.icah.org/](https://www.icah.org/) |
| **Chicago Alliance Against Sexual Exploitation** | Individualized legal advice, consultation, and representation following and related to sexual assault. Loop. | 773-244-2230 | [http://caase.org/](http://caase.org/) |