Office of Student Protections & Title IX (OSP) Procedure Manual

Chicago Public Schools



Office of Student Protections and Title IX

Effective August 1, 2026
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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, and Retaliation Policy (Non-Discrimination Policy), approved by the Board on June 24, 2026. The purpose of this OSP Procedure Manual is to outline the procedures for the prompt and equitable resolution of complaints alleging discrimination, harassment, and retaliation based on a Protected Category (including sexual harassment, racial discrimination, bias-based behavior, and gender inequity in athletics); sexual misconduct; and abuse by CPS-affiliated adults (including corporal punishment, physical abuse, and verbal abuse) in violation of Board Policy and/or federal, state, or local laws, regulations, and ordinances, including Title VI and Title VII of the Civil Rights Act of 1964 (Title VI and Title VII), and Title IX of the Education Amendments of 1972 (Title IX).

B. Office of Student Protections and Title IX (OSP)

OSP coordinates CPS' work to prevent and promptly investigate, stop, and remedy all incidents of discrimination, harassment and retaliation based on a Protected Category (including sexual harassment, racial discrimination, bias-based behavior, and gender inequity in athletics), ensuring compliance with federal, state, or local laws and ordinances, including Title VI and Title IX. Additionally, OSP investigates allegations of abuse by CPS-affiliated adults, including physical abuse, verbal abuse, and corporal punishment. OSP works with schools to receive reports, investigate incidents, and provide supportive measures, including long-term remedies as needed. OSP also provides connections to counseling and guidance to schools and families. OSP also provides regular training on how to recognize, prevent, and appropriately respond to discrimination, harassment and/or retaliation based on a Protected Category, sexual misconduct, and abuse of students incidents.

- **OSP** can be reached by phone at **773-535-4400**, online at www.cps.edu/osp and via email to osp@cps.edu.

C. The Equal Opportunity Compliance Office (EOCO)

EOCO is located within OSP and is responsible for conducting investigations into allegations of discrimination, harassment, and retaliation based on a Covered Individual Adult's actual or perceived membership in a Protected Category, which may or may not be subject to Title VI, Title VII, and/or Title IX.

- **EOCO** can be reached by phone at **773-553-1013, option 3**, online at www.cps.edu/eoco and via email to eoco@cps.edu.

D. Office of Inspector General (OIG)

OIG is the District's independent oversight body. **OIG's Sexual Allegations Unit (SAU)** investigates allegations of sexual misconduct by a CPS-affiliated adult, including employees, contractors, vendors, and volunteers, where the

victim is a CPS student and/or a minor. The OIG SAU conducts independent investigations into District, charter, contract, and alternative schools. The OIG SAU coordinates with OSP in ensuring that students are receiving appropriate supports and in ensuring compliance with Title IX.

- **OIG** can be reached by phone at **833-TELL-5277 (833-TELL-CPS)** and via email to inspectorgeneral@cpsoig.org. Complaints can also be reported online via the OIG website at: cpsoig.org/complaint-form.html.

E. School Designation of a Student Protections School Representatives (SPSR)

To support implementation of District policies related to non-discrimination and reporting abuse and the procedures detailed in this manual, each district, charter, and options school principal is responsible for designating at least one Student Protections School Representative (SPSR) annually. Generally, a Principal or Assistant Principal serves as the SPSR. School principals may choose to designate a second SPSR. All designated SPSRs must attend one live in-person or virtual scenario-based training each year; new SPSRs must also complete an asynchronous foundational training available on IL SafeSchools/Vector and should do so prior to attending a live training.

- District schools should designate a SPSR via the Online Database Acquisition (ODA) site and can learn more here.
- Charter schools should designate a SPSR using the OSP form provided by the Office of Innovation & Incubation (I&I).

II. REPORTING AND INTAKE PROCEDURES

A. Mandatory Reporting Requirements Regarding Students

1. **A Mandated Reporter must take the following steps** if they have been informed of, observed, or otherwise have reasonable cause to believe a student has experienced abuse (including abuse by CPS-affiliated adults); neglect; discrimination, harassment, or retaliation based on a Protected Category (including sexual harassment, racial discrimination, bias-based behavior, and gender inequity in athletics); or sexual misconduct:
    a. Ensure the safety and well-being of the party disclosing to you. If it is an emergency, per the Student Code of Conduct, notify 911.
    b. If you suspect child abuse or neglect, notify the Illinois Department of Children and Family Services (DCFS) Hotline at 1-800-252-2873 (1-800-25-ABUSE) immediately in accordance with the Reporting of Child Abuse, Neglect, and Inappropriate Relations Between Adults and Students ("Reporting of Child Abuse") policy. Mandated reporters must also report to DCFS 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. Ensure that you document the DCFS intake number.
        i. If you suspect child abuse or neglect of a student with a disability who is age 18+, notify the Illinois Office of Inspector

General, Department of Human Services at (800) 368-1463 (See: IL OIG Fact Sheet for additional guidance, last updated 12/2023).

c. **Notify your school principal/supervisor.** If the alleged abuser is the mandated reporter's principal/supervisor, or the mandated reporter fears retaliation from their principal/supervisor, the mandated reporter must notify the Network Chief/Chief Officer. If a report was made to the DCFS Hotline, provide the school principal/supervisor with the DCFS intake number

d. **Principals/Supervisors/Network Chiefs/Chief Offices or their designee must notify OSP/EOCO immediately.** In most cases, this means **within one day**, absent extenuating circumstances. For schools that use Aspen, using the procedures outlined in II.A.2 (below) to file an Aspen report is sufficient notification. For schools without access to Aspen, filing an OSP & EOCO Online Incident Report using the procedures outlined in II.A.3 is sufficient notification.

2. **OSP Notification for District and Other Schools Utilizing Aspen**
   a. Fill out an Aspen Incident, Concern, Threat (ICT) report and answer the four questions related to the incident. One or more of the required questions below must be marked "Yes" in order for OSP to be notified and evaluate the case.
      i. Does this alleged incident involve student-to-student or adult-to-student, sex/gender-based discrimination, sexual harassment (including sexual assault, dating violence, domestic violence, and stalking), sexual misconduct, retaliation, academic equity or sports equity?
      ii. Does this alleged incident involve adult-to-student sexual harassment (including sexual assault, dating violence, domestic violence, and stalking), or sexual misconduct? For the purposes of this question, adult means a staff member (part or full time), employee of a vendor, LSC member, school-affiliated individual, or volunteer.
      iii. Does the alleged incident involve student-to-student or adult-to-student Bias-Based Behavior or other forms of discrimination? This includes alleged bias-based or discriminatory actions against students by students or adults based on race, color, community, national or ethnic origin, immigration status, sex, gender, gender identity, gender expression, sexual orientation, age, religion, pregnancy, or disability.
      iv. Does the alleged incident involve physical, verbal abuse, or corporal punishment of a student by a District affiliated adult? This includes full or part time employees, vendors, contractors, volunteers, bus aides, and LSC members.
   b. **Completing Aspen ICT Reports**: When completing Aspen ICT reports, all parties must be appropriately labeled in the record's "Participants" section and the incident must be described fully in the "Event

Narrative" section. Reports must include the name of the individual who made the report, the DCFS intake number (if applicable), as well as any additional relevant information. Additional training and resources for documenting incidents referred to OSP can be found in the following resources:

i. Student Protections School Representative (SPSR) Asynchronous Training available on IL SafeSchools/Vector Training Solutions
ii. Aspen Documentation Guidelines
iii. Aspen Quick Guide: Documenting Sexual Misconduct

3. **OSP Notification for Charter Schools, Alternative Schools, and Contract Schools without Access to Aspen**:
   a. Fill out a report using the OSP & EOCO Online Incident Reporting Form available at www.cps.edu/osp.
   b. Reports must include the name of the individual who made the report, the DCFS intake number (if applicable), as well as any additional relevant information.
   c. Additional training and resources for documenting incidents referred to OSP can be found in the following resources:
      i. Student Protections School Representative (SPSR) Asynchronous Training available on IL SafeSchools/Vector Training Solutions
      ii. OSP & EOCO Online Incident Reporting Form: Documentation Guidelines for Schools without Aspen
4. **Timely Reporting by Mandated Reporters**
   a. As detailed above, reports to DCFS (if applicable) and OSP are to be made "immediately," which generally means **within one day.**
   b. Delayed reporting can result in an allegation of Failure to Report, and disciplinary sanctions following an investigation.
   c. Failure of a Mandated Reporter to report harassment, discrimination, abuse or retaliation that they are experiencing or have experienced is not a policy violation.

B. Reporting Procedures for Students or Parents/Guardians

1. If a student or a student's parent/guardian believes a CPS-Affiliated Adult may be committing abuse or engaging in conduct that violates the Non-Discrimination Policy or standards for professional boundaries in the Reporting of Child Abuse Policy, they should:
   a. Notify a trusted school staff member, such as a principal, teacher, or counselor; or
   b. If a student or parent/guardian experiences barriers to notifying a trusted school staff member, the student or parent/guardian should directly notify the Office of Student Protections and Title IX by using the OSP Online Incident Reporting Form at www.cps.edu/osp, calling (773) 535-4400, or emailing osp@cps.edu; and
   c. Provide any relevant information regarding the suspected abuse, sexual misconduct, or professional boundary violation to the trusted

school staff member or OSP.

2. **Timely Reporting for Students or Former Students**: OSP accepts complaints of discrimination, harassment, and/or retaliation based on a Protected Category from students and former students without any time limit.

C. Reporting Procedures for Allegations of Adult Harm

All reports of complaints covered herein by a Covered Individual Adult complainant (i.e., adult-to-adult or student-to-adult conduct) must be reported to the Equal Opportunity Compliance Office (EOCO) via the Online Report Form on the EOCO webpage. EOCO may also be reached via email at eoco@cps.edu or during business hours by telephone at (773) 553-1013, option 3 or in person at 110 N. Paulina Street, Chicago, Illinois 60612.

1. **Timely Reporting**: Complaints of employees experiencing discrimination, harassment or retaliation based on a protected category 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.
2. **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 based on a Protected Category by an employee, contractor, consultant, vendor, volunteer, or the public must refer it to the EOCO within one (1) business day following receipt or knowledge of the allegations.
    a. Written Complaint: If the allegation from the Complainant is in writing, that document must be submitted to the EOCO; if the report is from a school-based employee, it must also be entered into Aspen. In cases where the supervisor does not have access to Aspen, the written complaint should be forwarded to eoco@cps.edu, or submitted via the OSP and EOCO Online Incident Reporting form available at www.cps.edu/osp.
    b. 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 if the report is from a school-based employee, the receiving party must also 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.
    c. Guidance for Principals, Assistant Principals or department heads, including Network Chiefs, to ensure the integrity and confidentiality of a complaint:
        i. Mark the documents “Confidential” when sending the allegations summary to the EOCO via email.
        ii. Only send the allegations summary to the EOCO, and not to the parties involved or any other third parties.

iii. The allegations summary shall not be disclosed to either party or to any third party unless required by law.

D. Amnesty

CPS supports and encourages reporting all misconduct. A covered student or adult complainant who makes a good faith report, or a witness who shares what they know of conduct covered in these procedures will not be subject to disciplinary action for any minor policy violations related to the incident being reported. Amnesty does not apply to false reports or to more serious policy violations witnessed by a Mandated Reporter.

E. Request to Not Investigate

Once a report is received, or at any point during the investigation, the complainant can state they do not want an investigation, but the District may have an obligation to move forward with the investigation based on the safety and threat to the community. When the complainant requests that no investigation into a particular incident be conducted or disciplinary action taken, the District 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 without cooperation from the complainant and despite the request for no investigation. When a complaint involves a CPS student complainant and a Covered Individual Adult respondent, the District may, absent extenuating circumstances, move forward with the procedures detailed below in Section III.

F. Intake and Review of Report

OSP/EOCO Intake and Review: Once OSP/EOCO receives a report of misconduct covered herein, they will conduct an intake, review the information received, and request additional information if necessary, determine whether the District has jurisdiction (as defined in the Non-Discrimination Policy) to process the report. OSP/EOCO will coordinate support for the parties whether or not the District has jurisdiction and regardless of if the report falls under Title IX or any other category overseen by OSP/EOCO, such as other forms of discrimination, harassment, retaliation, and abuse.

1. If the District has jurisdiction, then OSP/EOCO will make efforts to contact the necessary parties, coordinate supportive measures, and, if appropriate, begin the resolution process.
2. When necessary, OSP/EOCO will forward matters to another investigative entity for review and continue to coordinate supportive measures.

G. Authority to Initiate a Complaint

1. The Complainant, complainant's parent/guardian, or the District have the authority to initiate a complaint (Note: the Title IX Coordinator is the only District representative with authority to initiate a Title IX complaint). The District or Title IX Coordinator may initiate a complaint after a fact-specific determination of the following:

a. The Complainant's request not to proceed with initiation of a complaint;
b. The Complainant's reasonable safety concerns regarding initiation of a complaint;
c. The risk that additional acts of harassment, discrimination and/or abuse would occur if a complaint is not initiated;
d. The severity of the alleged harassment, discrimination and/or abuse;
e. The age and relationship of the Parties, including whether the Respondent is a Covered Individual Adult;
f. The scope of the alleged discrimination, harassment, and/or abuse, including information suggesting a pattern or ongoing pattern alleged to have impacted multiple individuals;
g. The availability of evidence to assist in determining whether discrimination, harassment, and/or abuse occurred;
h. Whether the District could end the alleged discrimination, harassment, and/or abuse and prevent its recurrence without initiating an investigation.

2. When the District or Title IX Coordinator initiates a complaint, they do not become the Complainant. The Complainant is the person who experienced the alleged conduct that could constitute a violation of the District's policies.

H. Dismissal of Title IX Complaints

1. If any of the following are met, a Title IX complaint may be dismissed without conducting or completing an investigation under the Comprehensive Non-Discrimination, Harassment, and Retaliation Policy:
   a. Mandatory Dismissal: If any of the following are met, a formal complaint must be dismissed without conducting an investigation under Title IX:
      i. If the conduct did not occur against a person in the United States; and/or
      ii. If at the time of filing a formal complaint, a Complainant is not participating in or attempting to participate in the education program or activity of the District; and/or
      iii. If the conduct did not occur in the District's education program or activity; and/or
      iv. If the conduct alleged in the formal complaint would not constitute sexual harassment as defined in herein.
   b. Discretionary Dismissal: If any of the following are met, a formal complaint may be dismissed without conducting an investigation under Title IX:
      i. If at any time during the investigation, a Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the formal complaint or any allegations therein;
      ii. The Respondent is no longer enrolled or employed by the District; or

iii. Specific circumstances prevent the District from gathering evidence sufficient to reach a determination as to the formal complaint or allegations.
iv. When a Title IX sexual harassment complaint is dismissed, the complaint may be evaluated for other policy violations defined herein and processed accordingly.

2. **Dismissal Notification:** Both parties will receive simultaneous notification of the Title IX complaint dismissal and have the opportunity to appeal the dismissal according to the appeal procedures section below.
3. **Dismissal in OIG Investigations:** For OIG cases designated as Title IX, dismissal of the Title IX complaint may not result in the termination of the investigation. Based on the nature of the alleged misconduct and the available evidence, the OIG may continue investigating, may refer the matter to the appropriate CPS department for further action, or may administratively close the investigation.
4. OIG, OSP, and EOCO investigations that were initially designated as Title IX investigations but subsequently dismissed under Title IX will no longer be subject to Title IX procedures, as of the date of dismissal.

I. Closure of Non-Title IX Complaints

If any of the following are are met for a non-Title IX complaint of harassment, discrimination, and/or retaliation based on a Protected Category or abuse to a student designated as an OSP, EOCO, or OIG investigation, the case may be closed without conducting or completing an investigation:

1. The District is unable to identify the Complainant or Respondent after taking reasonable steps to do so;
2. The Respondent is no longer enrolled or employed by the District;
3. The Complainant or the person who reported the allegation(s) voluntarily withdraws any or all of the allegations in the complaint;
4. The District determines the conduct alleged in the complaint, even if proven, would not be a violation of the Comprehensive Non-Discrimination, Harassment, and Retaliation Policy;
5. Specific circumstances prevent the District from gathering evidence sufficient to reach a determination as to the complaint or allegations; or
6. The District determines that the specific factual circumstances of the allegations do not warrant further investigation.

J. Designation of Investigation Type

Once a report is determined to rise to the level of an investigation, the District will designate a misconduct category and an investigation type. The following investigation types can be designated:

1. **OSP Investigation**: For severe or complex incidents that involve significant factors, an OSP investigator will be assigned to investigate the incident. OSP investigations include allegations of discrimination, harassment, and/or retaliation based on a Protected Category (including Title VI and Title IX complaints), abuse by a CPS-affiliated adult, and gender inequity in athletics. An OSP investigator will respond to the school once the OSP

investigation is opened and assigned to an investigator. The OSP investigator will need access to the Student Protections School Representative (SPSR), access to all parties/students involved, a private location for interviews, and all relevant evidence and documents.

2. **School-Based Investigation**: OSP will refer less severe incidents of discrimination, harassment, retaliation, and abuse to the school administration and/or its Student Protections School Representative (SPSR) to conduct a school-based investigation. School-based investigations are led by school administrators and/or SPSRs. OSP will provide the school guidance and a school must not conduct an investigation unless directed to do so by OSP.
3. **EOCO Investigation**: For severe or complex incidents involving Covered Individual Adult complainants, an EOCO investigator will be assigned and work in conjunction with the school or worksite to conduct the investigation. Less severe incidents will be referred to the school for investigation, with guidance provided by EOCO.
7. **Office of Inspector General (OIG) Investigation**: Complaints involving concerns of harassment, discrimination, or retaliation of a sexual nature by Covered Individual Adults against a CPS student will be investigated by the OIG, a separate investigative entity. The OIG, in consultation with OSP, will assess the complaint and OIG will assign an investigator. OSP will provide assistance to students, families, and schools while OIG conducts their investigation.

K. 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.

L. Covered Adult Refusal to Participate in Investigation

To the extent allowable by law, all Covered Adults are required to participate in the investigative process. To the extent that a Covered Adult refuses to answer questions, the investigator may rely on the Covered Adult's silence or uncooperativeness in order to draw relevant inferences in concert with other factors, though they may not draw an inference solely from the party or witness's unavailability or refusal to answer any question.

M. Notification to School

Upon receiving a report from a school, OSP/EOCO will triage the report and will send the school a designation of investigation and follow-up communication letting the school know what type of investigation, if any, will occur.

N. Supportive Measures

In all incidents, the District will coordinate with schools and/or worksites to provide the parties with supportive measures which are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably

available, and without fee or charge to the parties. Such measures are designed to restore or preserve access to the District's education program or activity, without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the District's educational environment, or deter sex-based harassment or other conduct covered herein.

2. Available supportive measures include, but are not limited to, the following:
    a. Check-In/Check Out (CICO) interventions
    b. Counseling or social work support at school
    c. Referral to OSP supported therapy or coaching
    d. Recommendation for new or amended Behavioral Intervention Plan or Tier III Behavior Support Plan
    e. Referral to the Employee Assistance Program (EAP) (ComPsych): To access EAP benefits, call 1-800-890-1213 or visit https://www.guidanceresources.com and enter BCBSILEAP. Please also refer to the CPS Leave of Absence Handbook.
    f. **Safety Plan and No/Limited Contact Orders**:
        i. A Safety Plan is a plan designed to provide individualized safety supervision to the parties. The plan includes specific measures which work to minimize the risk of harm to the parties or others. 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 conduct covered herein, 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.
        ii. A No Contact Order is a directive by the District preventing the parties from contacting each other directly and/or indirectly. This helps to ensure the parties have no contact or communication and can include additional restrictions (such as location) to best facilitate the No Contact Order. A District's No Contact Order is separate and distinct from a Civil No Contact Order, an Order of Protection, or a Temporary Restraining Order or Injunction, issued by a criminal or civil court, which may legally direct the respondent/defendant to stay away from the petitioner/victim. In certain adult-to-adult cases, a Limited Contact Order may be issued where some amount of contact is necessary for school/business purposes when a third party is included, based on a fact-specific inquiry.
        iii. Safety Plans and/or District No Contact Orders may restrict access to school/work spaces or events. Though measures may differ between parties, the plans should maintain equitable access to the educational environment and not be unreasonably burdensome on one party prior to an outcome determination.
        iv. Regardless of the outcome of a case, a Safety Plan and/or District No Contact Order may be extended in consultation

with OSP/EOCO for the continued well-being of the parties as needed.

g. Connection to external counseling, support, medical/health services, and/or advocacy services. For more information on specific referrals, see the Resource Guide in **Appendix E**.
h. Extensions of time to complete assignments, modifications to course/work schedules, or any other course/work-related adjustments.

3. Supportive measures for students with disabilities: OSP will consult with the student's Individualized Education Plan/504 team to provide appropriate supports throughout the process, as needed.
4. To ensure the safety and well-being of the school environment in the presence of an immediate threat, a school may consult with OSP/EOCO, Network Offices, the Office of Social Emotional Learning (OSEL), Law and Safety and Security to explore additional options of removal or placement.
   a. Emergency removals of student respondents will only occur if the District follows these specific steps:
      i. Undertake an individualized safety and risk analysis to determine whether there is an immediate physical threat to the health or safety of students or other individuals arising from the allegations that would justify removal; and
      ii. Provide the student respondent with written notice of the emergency removal; and
      iii. Provide an opportunity for the student respondent to challenge the decision immediately following notice of the removal.
   b. At all times, the District reserves its right to remove Covered Individual Adult respondents when it is necessary during the course of an investigation to ensure student/staff safety.
5. Supportive measures may be provided to a party during and following an investigation. Also, supportive measures will be offered to a party even if OSP/EOCO does not accept a report as a case when needed to address any in-school/work effects on a party.
6. Supportive 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 misconduct covered herein.
7. The complainant and/or respondent have an opportunity to seek modification, reversal, or denial of supportive measures as outlined in the complaint letter sent to the parties. Final supportive measures will be determined and established by the school's Student Protections School Representative (SPSR) or another appropriate school representative.

III. CASE PROCEDURES

A. General Guidelines

The following procedures will be followed when the District receives a report of

Title VI, Title VII, Title IX discrimination, harassment, and/or retaliation based on a Protected Category and/or abuse to students.

1. Documentation: All relevant notices and outcomes are documented in the OSP's case management software system.
2. Special Consideration: When responding to reported incidents of harm, both in the application of case procedures and in the assessment of applicable policies and discipline, the District takes into special consideration other factors, including but not limited to age, language ability, cultural norms, and disability status of students/employees. To the greatest extent possible, and subject to Title IX, the District will make reasonable accommodations in case procedures to avoid potential retraumatization of a child and to avoid any potential interference with an investigation by the DCFS or a law enforcement agency.
3. Subject to Title IX and any other applicable federal and state laws, after an alleged incident of sexual abuse is accepted for investigation by the DCFS or a law enforcement agency, the District will not independently interview the impacted student, if at all, regarding details of the alleged incident of sexual abuse until after the completion of a forensic interview at a Children's Advocacy Center, if such an interview is reasonably expected to be conducted; or until DCFS or the investigating law enforcement agency grants the District persmission to interview the impacted student, after the governing agency determined that a forensic interview will no longer be conducted or such an interview was unable to be completed (e.g., parents denied consent for a forensic interview, police lost contact with the alleged impacted student, the impacted student recants the allegations).
4. Conflict of Interest: In the event that a complaint involves an employee of the Office of Student Protections & Title IX or the Equal Opportunity Compliance Office or a family member of any OSP or EOCO personnel, the complaint will be immediately referred to a different investigative entity or an external agency to eliminate any actual or perceived conflicts of interest and ensure impartiality. The OSP or EOCO employee will recuse themselves immediately and will not have any decision making influence or authority regarding the complaint. Additionally, OSP and EOCO investigators will not be assigned cases stemming from incidents that occurred where their child attends school and/or spouse is employed. All department personnel are required to report such instances promptly to the Chief Title IX Officer (or designee) to maintain public trust in the department's commitment to fair and unbiased conduct.

B. Informal Resolution of Complaints

An Informal Resolution is an agreement between all parties to a case that would resolve a formal complaint in Title IX cases, or an allegation in non-Title IX cases, outside of the formal grievance process of a complete OSP or EOCO investigation.

1. Informal resolution measures may be available on a case-by-case basis, as determined by the District and only when the complainant(s) and respondent(s) agree to informal resolution.

a. A preliminary inquiry by OSP or EOCO will determine if a case is appropriate for an informal resolution. *Informal resolution is not available where the complainant is a student and the respondent is a Covered Individual Adult.*
b. Prior to implementing an informal resolution, the District will obtain voluntary confirmation that the Complainant and Respondent wish to resolve the matter through informal resolution.
c. If informal resolution is not determined to be an inappropriate means of resolving a complaint, it is available to the parties at any time prior to a final determination being made, including after an investigation has begun.
d. It is not necessary to pursue informal resolution first in order to pursue the formal grievance process of a complete investigation, and any party participating in informal resolution can stop the process at any time and request an investigation.
e. When the allegations involve serious misconduct or a pattern of misconduct, the District may be unable to honor a request for informal resolution measures, including requests for confidentiality.

2. Parties participating in informal resolution process will be provided with a notice of the following:
   a. The reported misconduct/allegations;
   b. The requirements of the informal resolution process, including the circumstances under which, once completed, it precludes the parties from changing their minds and reverting to a formal grievance process;
   c. The right of the parties to withdraw from the informal resolution process and resume the formal grievance process;
   d. Any consequences resulting from participating in the process, including what sanctions can result, as well as any records that will be maintained and/or can be shared; and
   e. Whether the resolution will be binding on the parties.

C. Notifications

1. **Notification of Allegations:** OSP will provide notice to the parties that a complaint was received. This notice includes the classification of the allegations and available resources. The District may provide written notice of allegations to parent(s)/guardian(s) of respondent(s) and complainant(s), as applicable. If the allegations change at any point over the course of the investigation, the District will provide a revised notice to include the additional allegations. A notice of allegations shall include:
   a. A statement that the Respondent is presumed to be not responsible for the alleged conduct until a determination is made according to the process outlined herein.
   b. A statement that the parties may have an advisor.
   c. A reminder of the expectation of truthfulness in the process, including the consequences of providing false statements or submitting false information.

d. A statement that the information learned about others and shared during an investigation is expected to be treated as confidential by the parties.
e. A statement that retaliation is prohibited.

2. **Notification of Allegations Following a Formal Title IX Complaint:** For only formal Title IX sexual harassment complaints, written notice of the allegations will include the following:
   a. Details of the allegation:
      i. A summary of the allegations made with available details, including the date(s) and location(s) of the alleged incident(s)
      ii. The identities of the parties involved (if known);
      iii. The classification of allegations made, including the conduct that is considered to be sexual harassment;
      iv. The type of investigation that will occur;
      v. The rights of the parties to supportive measures;
      vi. In-school and local resources available to the parties; and
      vii. Applicable section(s) of the policies and procedures alleged to have been violated.
   b. A statement that the Respondent is presumed to be not responsible for the alleged conduct until a determination is made according to the process outlined herein.
   c. A statement that the parties may have an advisor of their choice, who may be an attorney.
   d. A reminder of the expectation of truthfulness in the process, including the consequences of providing false statements or submitting false information.
   e. A statement that the information learned and shared during an investigation is expected to be treated as confidential.
      i. Parties are not prohibited from discussing that they are party to an investigation of alleged violation(s) of Title IX so long as such discussion does not constitute retaliation.
      ii. Parties may not discuss evidence or information collected or exchanged as a part of the investigation.
   f. A statement that parties are entitled to an equal opportunity to access relevant and otherwise not impermissible evidence, or an accurate description of this evidence, gained during the investigative process.
   g. A statement that retaliation is prohibited.
3. **Notification of Interview Following a Formal Title IX Complaint:** Written notice will be sent to parties at least four (4) calendar days before the initial interview to provide parties with sufficient time to prepare to participate in the interview; however, circumstances may necessitate a shorter or longer time frame.
   a. The notice will include the following: date time, location, participants, and purpose of the investigative interview or meeting.
   b. If the investigation necessitates additional interviews, notification of subsequent interviews will be provided to parties and the parties may waive the four (4) calendar day timeframe for preparation.

c. In an effort to minimize retraumatization, if either party has undergone a recorded forensic interview at a Children's Advocacy Center regarding the allegations the District is investigating, the District may rely—subject to the relevant party's consent—on the recorded forensic interview in place of the party's initial interview.

4. EOCO Investigations: Notification of allegations and notification of interviews may, at the District's discretion, be combined into one notice containing all required information.

D. Advisors

All parties have the right to an advisor present during the process outlined herein, including any related meeting or proceeding. An advisor may be an attorney. All information shared during the resolution process is expected to be confidential. Parties may consult advisors during interviews, but advisors may not speak on the party's behalf or provide testimony.

E. Investigations

1. **Investigation Norms:** All investigations, regardless of type, will be conducted in a prompt, thorough, fair, and impartial manner. No information protected by privilege will be used during the investigation (unless the privilege is waived by the party).
   a. CPS affiliated adults should never conduct investigations into OSP or EOCO related matters, unless they have received a referral from OSP or EOCO to conduct a school-based investigation. Schools that receive a referral to conduct an investigation will receive guidance from OSP or EOCO on completing the investigation.
   b. Discipline should never be imposed until after an OSP, OIG, or EOCO investigation has concluded and been referred to the Title IX Decision-Maker, school, or the Law Department for a determination of appropriate discipline (Title IX) and next steps. Schools that receive a referral to conduct an investigation should conclude the investigation prior to imposing any discipline.
   c. Each investigation will include a majority of the following steps, though not necessarily in this order:
      i. Offering all parties the opportunity to be interviewed and interviewing those who accept, viewing recorded forensic interviews (if applicable), and conducting follow-up party interviews as needed, while notifying the parties of any meeting or interview in advance;
      ii. Allowing each party the opportunity to provide any inculpatory and exculpatory evidence or summary thereof;
      iii. Interviewing relevant witnesses who are available and conducting follow-up witness interviews as necessary;
      iv. Completing the investigation as promptly as possible and without unreasonable deviation from the intended timeline;
      v. Providing ninety (90) day status update notifications to the parties throughout the investigation.

d. The burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the District and not on the parties.

2. **Concluding an Investigation**
   a. **Investigative Report:** Investigations conducted by OSP and EOCO will typically result in an investigative report that fully and fairly summarizes the investigation, all witness interviews, and addresses all relevant inculpatory and exculpatory evidence. (OIG investigations follow a similar process summarized by OIG here).
   b. Title IX Investigations:
      i. Prior to finalizing a Title IX investigative report, the parties and their advisors will have a reasonable opportunity to review the draft investigative report and evidence. The investigator will send each party any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint for inspection and review. The parties will have ten (10) calendar days to submit a written response, which the investigator will consider prior to completion of the investigative report.
      ii. Prior to an outcome determination for Title IX investigations, the parties and their advisors will have a reasonable opportunity to review the final investigative report and evidence. The final investigative report will be provided to the parties and their advisors, at which time the parties will have a ten (10) calendar day period to submit written, relevant questions to the Title IX Decision-Maker that the party wants asked of any party or witness, provide each party with the answers (if asked and answered), and allow for additional, limited follow-up questions from each party. The Decision-Maker may make a determination that a question is not relevant and will explain to the party proposing the questions any decision to exclude questions as not relevant.
3. **Impact of CPD and DCFS Investigations:** Chicago Police Department (CPD) and DCFS investigations are separate from OSP, EOCO, and OIG investigations, though they may be complementary or simultaneous. Due to a number of factors (e.g., different standards of proof, varying investigative deadlines, subpoena power, access to resources, evidence obtained), CPD, DCFS, and the District (OSP and OIG) may reach different (and potentially conflicting) case outcomes after completion of their respective investigations into the same allegations giving rise to the complaint. A call to CPD and/or DCFS does not suffice a call to OSP, EOCO, and/or OIG, and vice versa.

F. Determinations

The parties will receive a determination regarding responsibility using the preponderance of the evidence standard (e.g., whether alleged facts are more likely than not to be true). Regardless of the outcome of the investigation, the

District will take steps to prevent the recurrence of all misconduct covered herein, and correct any discriminatory effects on all impacted parties as appropriate.

1. **Cases Falling Under Title IX Sexual Harassment - Written Determinations:** The Decision-Maker will issue a written determination regarding responsibility using the preponderance of the evidence standard. The written determination will be simultaneously sent in a prompt and equitable manner to inform the parties and their advisors, including the parent(s)/guardian(s) of respondent(s) and complainant(s), of the following:
    a. The section(s) of the policies alleged to have been violated;
    b. A description of the procedural steps taken from the receipt of the formal complaint through the end of the process, including any notifications made to the parties, interviews with parties and witnesses, site visits, other mechanisms used to gather evidence, and hearings held (if applicable);
    c. Findings of fact that support the determination;
    d. Conclusions regarding the application of the policies/codes of conduct to the facts;
    e. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the District imposes on the Respondent, and whether remedies designed to restore or preserve equal access to the District's education program or activity will be provided by the recipient to the Complainant; and
    f. Procedures for appeal, including the basis upon which the parties may appeal.
2. **Cases Falling Outside of Title IX Sexual Harassment - Written Outcome Determinations:** In non-Title IX cases, the parties should receive a written outcome determination letter regarding responsibility using the preponderance of the evidence standard.
    a. OSP Investigations: Both parties will receive a written outcome determination stating whether the investigation was substantiated or unsubstantiated. If the case is substantiated, the school administrator will communicate any restorative actions and/or disciplinary sanctions in accordance with Section III.G to the Respondent student and their parents/guardians.
    b. School-Based Investigations: The school administrator or designee will issue a written outcome determination stating whether the investigation was substantiated or unsubstantiated and communicate any restorative actions and/or disciplinary sanctions in accordance with Section III.G to the Respondent student and their parents/guardians.
    c. EOCO Investigations: The EOCO will issue a written outcome determination to each party stating whether the investigation was substantiated or unsubstantiated. If the case is substantiated against a student respondent, discipline will be imposed based in alignment with the District's Student Code of Conduct. If the case is substantiated

against a staff respondent, it will be transferred to the CPS Law Department for review.

d. OIG Investigations: Completed investigations are forwarded to the CPS Law Department, OSP, and other CPS departments/offices, if necessary. In substantiated cases, the Law Department issues a written outcome determination to both parties. In unsubstantiated cases, the Law Department or OSP issues a written outcome determination to both parties. If the case is administratively closed or referred to another CPS department/office after a preliminary inquiry, the OIG will notify the respondent's supervisor or school principal of that outcome.

G. Discipline/Sanctions

Appropriate disciplinary action will be taken when an individual is found to have engaged in misconduct as described herein in violation of the Board's policies and/or rules.

1. **Students:** In non-Title IX sexual misconduct cases, the school is responsible for assigning and implementing restorative actions and/or discipline for students. The Student Discipline Team in the Office of Social and Emotional Learning (OSEL) can provide advice and guidance as necessary. OSP may intervene if the assigned discipline is more or less than what is typical for the substantiated infraction(s). In Title IX sexual harassment cases, the Title IX Decision-Maker is responsible for assigning restorative actions and/or discipline. The school is responsible for implementing the assigned restorative actions and/or discipline.
   a. Students who violate the Board's Non-Discrimination Policy are subject to disciplinary action pursuant to the Student Code of Conduct, which may be amended from time to time.
   b. Discipline should be implemented immediately after a determination of findings following an OSP or school-based investigation is communicated.
   c. If applicable, a student's IEP/504 plan must be considered when determining appropriate restorative actions and/or discipline. This may require consulting with a representative from the Office for Students with Disabilities (OSD) and/or consideration of a functional behavior assessment (FBA) and Behavior Intervention Plan (BIP) that addresses substantiated behavior incidents.
2. **Employees:** In non-Title IX cases, substantiated investigations of employee misconduct are forwarded for review and analysis to the CPS Law Department. Employees who violate the Board's Non-Discrimination Policy, Reporting of Child Abuse, Neglect and Inappropriate Relations Between Adults and Students, or other policies and/or rules are subject to disciplinary action up to and including termination. In Title IX sexual harassment cases, the Title IX Decision-Maker is responsible for assigning discipline and/or restorative actions/remedies, in consultation with the Law Department's Employee Discipline Unit. Investigations are then forwarded to the CPS Law Department for next steps.

3. **Contractors, Consultants, or Vendors:** Contractors, consultants or vendors who violate the Board's Non-Discrimination Policy or other policies, and/or rules are subject to removal from and prohibiting access to District premises, remedies of law, and/or remedies under their contract.
4. **Volunteers:** Volunteers who violate the Board's Non-Discrimination Policy, or other policies and/or rules are subject to their authorization to serve as a volunteer being rescinded.

H. Corrective Action Training

A CPS Affiliated Adult may be required to engage in mandatory Corrective Action Training with an OSP/EOCO representative, in response to a referral or allegation(s) received. Corrective Action Training is mandatory for assigned employees, and is not disciplinary action, but failure to attend mandatory corrective action training can result in discipline, up to and including termination. During a Corrective Action Training session, an OSP/EOCO representative will review the following:

1. The allegation received;
2. Potential policy concerns;
3. Alternatives to concerning behavior; and
4. Any available relevant resources.

I. Resolution Timeframe

1. **OSP, EOCO, and OIG investigators** will make a good faith effort to complete the resolution process, not including discipline, within three hundred and sixty-five (365) calendar days. Extensions may be made with good cause with notice to the parties of the reason for the delay. Parties will receive notices every ninety (90) calendar days as long as the case remains unresolved.
2. **In School-based Investigations**:
   a. Evaluation: Five (5) calendar days from report of incident to OSP.
   b. Investigation: The school principal, SPSR, or other designee has ten (10) calendar days from notice of school-based investigation by the OSP Student Protections Coordinator or other OSP staff.
   c. Determination: Three (3) days from the conclusion of the school-based investigation.
   d. Documentation: No later than five (5) business days following the close of the investigation all investigative steps and evidence must be documented in Aspen (for District schools and any others with ICT access) or on the SBI Form (for schools without access to Aspen).

J. Appeal Procedures

1. The following process applies for appealing a Dismissal of a Formal Title IX Sexual Harassment Complaint or a Title IX Written Determination:
   a. **Appeal Grounds**: Appeals are limited to the following grounds which must be articulated in the request for appeal:

i. A procedural irregularity that affected the outcome of the matter;
ii. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
iii. The Title IX Coordinator, Investigator(s), or Decision-Maker had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent, that affected the outcome of the matter.

b. **Request for Appeal**: Any party may submit a written appeal request within five (5) calendar days of receiving a written notice of dismissal or a written determination. When exigent circumstances exist, limited extensions may be granted at the discretion of the District.
   i. The written appeal request must describe in detail, as applicable, the procedural irregularities asserted to have affected the outcome of the determination, the nature of any new evidence that was not previously available asserted to have affected the outcome, and/or the nature of any bias asserted to have affected the outcome, with an explanation of how the outcome was affected by such factors. If the appealing party has evidence that supports the appeal, it shall accompany the written request for appeal, or else the request for appeal shall identify where such evidence may be found.
   ii. A request for appeal should be submitted via email to ospappeals@cps.edu with the subject line of "Appeal for [Student/Employee Name]."
c. Any request for appeal will be evaluated within five (5) calendar days by the Appeal Decision-Maker. This is not a review of the merits of the appeal, but solely a determination as to whether the request could reasonably be construed to meet the grounds and is timely filed.
   i. **Notice of Appeal**: Upon receiving a timely Title IX appeal request that meets the stated grounds for appeal, the Appeal Decision-Maker will simultaneously send a written Notice of Appeal to each party stating which of the grounds for appeal have been met. The party that did not submit the appeal ("responding party") will also be provided a copy of the written appeal request and any accompanying evidence.
   ii. **Notice of Denial of Request for Appeal:** If the appeal request is not timely, does not meet the grounds, or does not describe how the alleged error did or could affect the outcome, the Appeal Decision-Maker will simultaneously send a written Notice of Denial of Request for Appeal, including rationale, to each party.
d. **Responding Party's Optional Written Statement:** The party that did not submit the appeal will be afforded an equal opportunity to submit a written statement in opposition to the appeal within five (5) calendar days of receiving the Notice of Appeal. When exigent circumstances

exist, limited extensions may be granted at the discretion of the District.

i. A responding party's written statement should describe, in detail, the basis for the responding party's opposition to the appeal, including the basis for opposing, as applicable, the appealing party's assertion of procedural irregularities affecting the outcome of the determination, of any new evidence affecting the outcome, and/or the nature of any bias asserted to have affected the outcome. If the responding party has evidence that supports its opposition to the appeal, it shall accompany the written statement, or else the statement shall identify where such evidence may be found.

ii. A responding party's written statement in opposition to the appeal should be submitted via email to ospappeals@cps.edu with the subject line "Response to Notice of Appeal for [Student/Employee Name]."

e. Should the appeal allege bias or a conflict of interest on the part of the Title IX Coordinator, Investigator(s), or the Decision-Maker, the Appeal Decision-Maker may request that the identified staff submit a written response to the allegation(s).

f. **Appeal Outcome**: The Appeal Decision-Maker shall apply the preponderance of evidence standard to review the merits of the appeal as regards the stated grounds and render a written determination within fifteen (15) calendar days of any written response to the appeal or to the Notice of Appeal (if no response is received), barring extenuating circumstances. If an extension of timeline is necessary, both parties will receive written notice. The written determination on the appeal, including rationale, shall be issued to both parties simultaneously and is final.

i. An appeal on a Dismissal of a Formal Title IX Sexual Harassment Complaint will result in either (1) the dismissal being upheld, or (2) the case being referred back to the Title IX Coordinator for processing.

ii. An appeal on a Title IX Written Determination will result in one of three outcomes: (1) the written determination being upheld, (2) the case being remanded (or partially remanded) to the original Investigator(s) and/or Decision Maker with corrective instructions for reconsideration, or (3) in rare circumstances, where an error cannot be cured by the original Investigator(s) and/or Decision-Maker or they are otherwise unavailable for remand, a new investigation and/or written determination, with different individuals serving as Investigator(s) and/or Decision-Maker.

2. Closure of a non-Title IX complaint and outcome determinations made regarding allegations of non-Title IX sexual misconduct, physical abuse, verbal abuse, corporal punishment, and biased-based harm, and school-based investigations are generally final and the parties do not have

a right to appeal the determination. However, the District may re-open a complaint based on new information and other circumstances.

K. Recordkeeping (Title IX)

The Board's Title IX Coordinator shall be responsible for maintaining records related to all Title IX complaints received by the District. These records will be maintained (and available for request by the parties in accordance with District policy and guidance) for a period of at least seven years.

1. This includes, but is not limited to the following information for each complaint:
    a. Relevant information related to the Complainant, Respondent, and identified witnesses;
    b. Name and title of the person who received the complaint;
    c. Date, time, nature, and location of reported incident;
    d. Date the District became aware of the incident;
    e. Date the Title IX Coordinator received notice of the incident;
    f. Supportive measures and resources offered to the parties;
    g. Final investigative reports;
    h. Outcome notification letters provided to the parties; and
    i. Disciplinary sanctions issued to individuals found in violation of any applicable policies, procedures, laws, and/or regulations.
2. The Board's Title IX Coordinator shall be responsible for maintaining all materials used to train coordinators, investigators, decision-makers, and informal resolution facilitators with regard to sexual harassment.

L. Related OSP Procedures

1. **Student Rights in Investigations:** All students involved in an investigation should receive a copy of their student rights which can be found 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.
2. **Employee Rights in Investigations:** All employees involved in an investigation should receive a copy of their employee rights which can be found in Appendix C.
3. **Staff Response to Incidents Involving Electronic Communications of a Sexual Nature:** For guidance on managing electronic communications involved in sexual misconduct incidents, see Appendix D.

IV. LIST OF APPENDICES

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Appendix A: Definitions

1. **Bias-Based Behavior**
   Any physical, verbal, nonverbal, or other act or conduct, including communications made in writing or electronically, directed toward a member or perceived member of a Protected Category within the school community that is of a discriminatory or harmful nature.

2. **Citizenship or Immigration Status Discrimination**
   Treating a Covered Individual unfavorably because of matters regarding citizenship of the United States or any other country or the authority or lack thereof to reside in or otherwise to be present in the United States, including an individual's nationality and country of citizenship. See also: National Origin / Shared Ancestry Discrimination.

3. **Complaint**
   An oral or written request to the District that objectively can be understood as a request to investigate and make a determination about alleged discrimination, harassment based on any Protected Category, abuse, or any other violation of the Comprehensive Non-Discrimination, Harassment, and Retaliation Policy.

4. **Complainant**
   The person who has experienced the alleged harm. This person is considered a complainant regardless of whether they choose to file a complaint.

5. **Consent**
   a. Is defined as:
      i. Informed. A person must understand the who, what, when, where, and nature of the activity;
      ii. Active. Verbal or nonverbal actions that clearly show willingness to participate in the activity. The absence of no does not mean yes. No means No. Stop means Stop;
      iii. Voluntary. Freely given without the use of force, coercion, manipulation, or threats;
      iv. 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; and
      v. Ongoing. A person can take back consent at any time. Once consent is taken back, all activity must stop.
   b. **A person cannot give consent if:**
      i. They are incapacitated from voluntary or involuntary drug or alcohol use;
      ii. They are asleep or unconscious;
      iii. They have a physical, developmental, or cognitive difference that prevents them from understanding what is happening;

iv. They 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; or
v. The other person is in a position of authority or trust.

6. **Corporal Punishment**
Deliberately inflicting pain upon a student in response to the student's behavior or language, with an aim to halt an offense, prevent its recurrence, or set an example for others, which may include physical contact or the use of an object (e.g. spanking, slapping, pinching, etc.) or no physical contact (e.g. forcing into physical positions, running laps, etc.).

7. **Covered Individual Adults**
Includes, but is not limited to, employees (part- or full-time), applicants for employment, contractors, consultants, vendors, Adult members of the Board of Education and Local School Councils (LSC), and volunteers.

8. **Decision-Maker (Title IX)**
Individuals free from conflicts of interest and biases, who are trained to serve impartially without prejudging the facts at issue. Decision-makers have the authority to make the Title IX determination regarding whether the policy was violated, whether or not a complaint is dismissed, and final appeal determinations. Discipline will be imposed only after consultation with the District's Office of Social and Emotional Learning or, for Covered Individual Adults, the CPS Law Department. Discipline will be imposed pursuant to applicable CPS discipline policies.

9. **Discrimination**
Treating an individual less favorably because of their actual or perceived membership in one or more of the Protected Categories.

10. **Disciplinary Sanctions**
Consequences imposed on a respondent following a determination that the respondent violated the District's policies.

11. **Failure to Report**
Failing to timely and properly report harassment, discrimination, retaliation based on a protected category, sexual harassment, sexual misconduct, physical abuse, verbal abuse, conduct unbecoming, corporal punishment, or bias-based harm, as required by this Procedure Manual; the Non-Discrimination Policy; and/or Reporting of Child Abuse, Neglect and Inappropriate Relations between Adults and Students. A report falling under any of the preceding categories should be made immediately. In most cases, this means one day, absent extenuating circumstances. A failure to report may also result from unreasonable delays in entering a report of harm into the CPS Student Information Management System (Aspen), or improperly or negligently entering a report of harm into Aspen.

12. **General Staff Misconduct**
    An umbrella term for inappropriate conduct on the part of employees and other Covered Individual Adults that is prohibited by the District's Reporting of Abuse, Neglect, and Inappropriate Relation Between Adults and Students Policy, and does not constitute discrimination, harassment, retaliation, or sexual misconduct. Sub-categories of general staff misconduct include:
    a. Corporal Punishment,
    b. Physical Abuse,
    c. Verbal Abuse, and
    d. Failure to Report.

13. **Grooming**
    Behavior an adult in a position of trust or authority uses to build an emotional connection with a child or young person, including a student who may be over 18 years of age, to gain their trust and break down their inhibitions for a sexual purpose. The definition of grooming under this Procedure Manual includes but is not limited to the following:
    a. A Covered Adult commits grooming when they knowingly use a computer on-line service, internet service, local bulletin board service, or any other device capable of electronic data storage or transmission, performs an act in person or by conduct through a third party, or uses written communication to seduce, solicit, lure, or entice, or attempt to seduce, solicit, lure, or entice, a child, a child's guardian, or another person believed by the person to be a child or a child's guardian, to commit any sex offense in Section 2 of the Illinois Sex Offender Registration Act, to distribute photographs depicting the sex organs of the child, or to otherwise engage in any unlawful sexual conduct with a child or with another person believed by the person to be a child.
    b. A Covered Adult may be "grooming" a child or engaging in inappropriate intimate behavior with a child when the person engages in behavior that includes but is not limited to:
        i. Creating or engaging in isolated, one-on-one interactions with a child (e.g., transporting a child without the written authorization of the principal and the parent, texting or direct messaging the child);
        ii. Giving or attempting to give gifts to a particular child (e.g., money, clothing); or
        iii. Crossing physical boundaries (e.g., touching, giving prolonged frontal hugs, or making the child sit on their lap).

14. **Harassment**
    Unwelcome verbal, nonverbal, visual, or physical conduct that is based on an individual's actual or perceived membership in one or more of the Protected Categories, as defined in this policy, that is persistent, pervasive, and severe and objectively offensive and 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, touching, ridicule or mockery, insults or put-downs, offensive objects or pictures,

messages sent via email, text or social media. OSP operationalizes this definition as follows:

b. For Title-IX complaints, see: Sexual Harassment (Title IX).
c. For non-Title IX complaints, unwelcome conduct that is based on an individual's actual or perceived membership in one or more of the Protected Categories that is persistent, pervasive, or severe constitutes harassment when it is objectively offensive and unreasonably interferes with, limits, or denies an individual's educational or employment access, benefits, or opportunities. This operationalization aligns with federal Title VI guidance (Fed. Reg. 94-5531) and CPS's Addressing Bullying and Bias-Based Behaviors policy.

15. Mandated Reporter

"Mandated Reporters" include all Board employees (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, who have reasonable cause to believe that a child known to them in their professional or official capacity may be an abused or neglected child or that acts of suspected abuse committed by a Covered Individual Adult or boundary violations have occurred. Mandated Reporters also include vendors, contractors, adult Local School Council members, and volunteers who are required to complete the DCFS training pursuant to the CPS Volunteer Policy (Section 801.2). *(Return to Mandatory Reporting Requirements Regarding Students).*

d. "A child known to them in their professional or official capacities" means:
   i. the mandated reporter comes into contact with the child in the course of the reporter's employment or practice of a profession or through a regularly scheduled program, activity, or service
   ii. the mandated reporter is affiliated with Chicago Public Schools; or
   iii. a person makes a specific disclosure to the mandated reporter that an identifiable child is the victim of child abuse or child neglect, and the disclosure happens while the mandated reporter is engaged in his or her employment or practice of a profession, or in a regularly scheduled program, activity, or service.

16. Microaggressions

Brief and commonplace verbal, behavioral, or environmental indignities, whether intentional or unintentional, that communicate hostile, derogatory, or negative slights toward people based on their membership in a Protected Category.

17. National Origin / Shared Ancestry Discrimination

Treating Covered Individuals unfavorably because they are from a particular country or part of the world, because of ethnicity or accent, because of shared ancestry, or because they appear to be of a certain ethnic background (even if they are not), or based on citizenship or residency in a country with a dominant religion or distinct religious identity. Discrimination also can involve

treating people because they are associated with a person of a certain national origin or shared ethnic characteristics. Discrimination can occur when the victim and the person who inflicted the discrimination are of the same national origin.

18. **Parental Status**
    A person who, with respect to another person who is under the age of 18 or who is 18 or older but is incapable of self-care because of a physical or mental disability, is: a biological parent, an adoptive parent, a foster parent, a stepparent, a legal custodian or guardian, in loco parentis with respect to such person or actively seeking legal custody, guardianship, visitation, or adoption of such person.

19. **Party**
    A complainant or respondent in any action under this Procedure Manual.

20. **Physical Abuse (CPS Affiliated Adult-to-Student)**
    Non-accidental and inappropriate physical contact by a CPS affiliated adult with a student that causes bodily harm, or is intended to cause pain or injury. This includes actions such as fighting, punching, and any cruel acts that result in physical harm or injury to a student. Bodily harm is defined as any injury, damage, or impairment to an individual's physical or emotional health. Physical Abuse does not include physical restraint used for therapeutic purposes or as necessary to preserve the safety of students or others as outlined in the Physical Restraints and Time Outs Policy.

21. **Pregnancy or Related Conditions**
    Pregnancy, childbirth, termination of pregnancy, or lactation; Medical conditions related to pregnancy, childbirth, termination of pregnancy, or lactation; or Recovery from pregnancy, childbirth, termination of pregnancy, lactation, or related medical conditions.

22. **Protected Category**
    An individual's actual or perceived sexual orientation, gender or sex (includes gender identity, gender expression, pregnancy, childbirth, breastfeeding, and pregnancy-related medical conditions), race or ethnicity (includes hairstyles historically associated with race, ethnicity, or hair texture, including, but not limited to, protective hairstyles such as braids, locks, and twists), ethnic group identification, ancestry, nationality, national origin, shared ancestry, religion, color, mental or physical disability, age, immigration or citizenship status, marital status, parental 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.

23. **Racial Discrimination**
    Treating a Covered Individual unfavorably because they are of a certain race or because of personal characteristics associated with race (such as hair texture, skin color, or certain facial features). Color discrimination involves treating a Covered Individual unfavorably because of skin color complexion.

24. **Remedies**
    Measures provided, as appropriate, to a party identified as having had their equal access to the District's education program or activity limited or denied by harassment and/or discrimination. These measures are provided to restore or preserve that person's access to the recipient's education program or activity after a determination that harassment, discrimination, or retaliation occurred.

25. **Respondent**
    The person accused of causing harm.

26. **Retaliation**
    Any adverse action to employment, educational program or activity, or adverse change in employment, educational program or activity, taken against a Covered Individual for having made a complaint or report of Discrimination and/or, Harassment based on protected categories, Abuse, and/or Sexual Misconduct, whether made internally, or externally with a federal, state, or local agency; or for participating, aiding, or refusing to participate in an investigation, proceeding or hearing related to a report or complaint of Discrimination and/or, Harassment based on protected categories, Sexual Harassment and/or Sexual Misconduct under this Policy, whether internal, or external with a federal, state, or local agency, is strictly prohibited. Retaliation for reporting sexual harassment is illegal in Chicago. An adverse action can include discipline or denial of access to a service or benefit. Intimidation, threats, coercion, or discrimination against any person by the Board, a student, or an employee or other person authorized by the Board to provide aid, benefit, or service under the Board's education program or activity, for the purpose of interfering with any right or privilege secured by Title IX or its regulations, or because the person has reported information, made a complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under the Title IX regulations constitutes Retaliation. Any Covered Individual Adult who believes that a student has been subjected to Retaliation should refer to Section II, Reporting and Intake Procedures. Subject to applicable laws and regulations, including Title IX, nothing herein is intended to conflict with an employee's obligations under Board Rule 4-4 (m) to cooperate in investigations by the Office of the Inspector General (OIG).

27. **Sex/Gender-Based Discrimination**
    Treating an individual less favorably because of their actual or perceived gender or sex (includes gender identity, gender expression, pregnancy, childbirth, breastfeeding, and pregnancy-related medical conditions) or failing

to provide equal opportunity to participate in or benefit from separate gender/sex educational programming, including gender inequity in athletics or academics.

28. **Sex/Gender-Based Harassment**
Unwelcome verbal, nonverbal, visual, or physical conduct that is based on an individual's actual or perceived gender or sex (includes gender identity, gender expression, pregnancy, childbirth, breastfeeding, and pregnancy-related medical conditions). Unwelcome conduct may include 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, sex-based conduct and any other persistent, pervasive, or severe conduct that is objectively offensive and unreasonably interferes with, limits, or denies an individual's educational or employment access, benefits, or opportunities.

29. **Sexual Harassment (Title IX)**
Conduct on the basis of sex that satisfies one or more of the following:
    a. Quid pro quo harassment: An employee, agent or other person authorized by the District to provide an aid, benefit, or service under the District's program or activity, explicitly or impliedly conditioning the provision of an aid, benefit, or service of the District on an individual's participation in unwelcome sexual conduct;
    b. Hostile environment harassment: Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District's education program or activity. Whether a hostile environment has been created is a fact-specific inquiry that includes consideration of the totality of circumstances, including:
        i. The degree to which the conduct affected the complainant's ability to access the District's education program or activity;
        ii. The type, frequency, and duration of the conduct;
        iii. The parties' ages, roles within the District's education program or activity, previous interactions, and other factors about each party that may be relevant to evaluating the effects of the conduct; and
        iv. The location of the conduct and the context in which the conduct occurred.
    c. **Sexual Assault**: Any sexual act or attempted sexual act classified as a forcible or non-forcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation:
        i. **Sex Offenses:** Any sexual act or attempted sexual act directed against a complainant, without the consent of the complainant including instances where the complainant is incapable of giving consent. Physical resistance is not required on the part of the complainant to demonstrate lack of consent.
            1. **Rape**: Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a

sex organ of complainant, without the consent of the complainant.

2. **Fondling** (NIBRS code: Criminal Sexual Contact): The intentional touching of the clothed or unclothed body parts without consent for the purpose of sexual degradation, sexual gratification, or sexual humiliation. The forced touching by the complainant of the actor's clothed or unclothed body parts, without consent for the purpose of sexual degradation, sexual gratification, or sexual humiliation.

ii. Unlawful Sexual Intercourse

1. **Incest**: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by Illinois law.
2. **Statutory Rape**: Sexual intercourse with a person who is under the statutory age of consent of 17 years old (or 18 years old when the perpetrator is in a position of trust or authority, such as a teacher or coach).

d. **Dating Violence**: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the complainant. The existence of such a relationship shall be determined based on the complainant's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition:

a. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
b. Dating violence does not include acts covered under the definition of domestic violence.

For the purpose of CPS policy, "violence" includes conduct where a respondent intentionally or recklessly causes a complainant serious physical, emotional, or psychological harm. The legitimate use of violence for self-defense is not dating violence, because the purpose is safety, not harm. Self-defense is only to be considered if it is prompted by actual or attempted sexual or physical abuse. Threats to seriously harm a complainant or people they care about may constitute violence if the threats cause serious emotional or psychological harm.

e. **Domestic Violence**: A felony or misdemeanor crime of violence committed:

a. By a current or former spouse or intimate partner of the complainant;
b. By a person with whom the complainant shares a child in common;
c. By a person who is cohabitating with, or has cohabitated with, the complainant as a spouse or intimate partner;
d. By a person similarly situated to a spouse of the complainant under the domestic or family violence laws of Illinois; or

e. By any other person against an adult or youth complainant who is protected from that person's acts under the domestic or family violence laws of Illinois.

Pursuant to the Illinois Domestic Violence Act (750 ILCS 60) a felony or misdemeanor crime of violence committed by a person who "has or has had a dating or engagement relationship" constitutes domestic violence.

f. **Stalking**: engaging in a course of conduct directed at a specific person that would cause a reasonable person to:
   a. Fear for the person's safety or the safety of others; or
   b. Suffer substantial emotional distress.

   For the purposes of this definition:
   a. Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
   b. Reasonable person means a reasonable person under similar circumstances and with similar identities to the complainant. Substantial emotional distress means significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling.

30. Sexual Misconduct (Non-Title IX)

A form of sex discrimination or harassment including any conduct of a sexual nature that is unwelcome or inappropriate and unreasonably interferes with, limits, or denies an individual's educational or employment access, benefits, or opportunities. CPS uses six (6) categories to further classify sexual misconduct incidents. Those categories are:

a. Grooming: Behavior an adult in a position of trust or authority uses to build an emotional connection with a child or young person, including a student who may be over 18 years of age, to gain their trust and break down their inhibitions for a sexual purpose. Grooming includes but is not limited to the following:
   i. A Covered Adult commits grooming when they knowingly use a computer on-line service, internet service, local bulletin board service, or any other device capable of electronic data storage or transmission, performs an act in person or by conduct through a third party, or uses written communication to seduce, solicit, lure, or entice, or attempt to seduce, solicit, lure, or entice, a child, a child's guardian, or another person believed by the person to be a child or a child's guardian, to commit any sex offense in Section 2 of the Illinois Sex Offender Registration Act, to distribute photographs depicting the sex organs of the child, or to otherwise engage in any unlawful sexual conduct with a child or with another person believed by the person to be a child.

ii. A Covered Adult may be "grooming" a child or engaging in inappropriate intimate behavior with a child when the person engages in behavior that includes but is not limited to:
    1. Creating or engaging in isolated, one-on-one interactions with a child (e.g.,transporting a child without the written authorization of the principal and the parent, texting or direct messaging the child);
    2. Giving or attempting to give gifts to a particular child (e.g., money, clothing); or
    3. Crossing physical boundaries (e.g., touching, giving prolonged frontal hugs, or making the child sit on their lap).

b. Inappropriate Touching: Knowingly or intentionally making or attempting to make unwelcome physical contact with 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, regardless of the purpose or degree of force used, if any.
c. Sexual Electronic Communication: Intentionally viewing, creating, possessing, or sharing sexual language or images/recordings without the consent of one or more parties.
d. Sexual Bullying: see "Sex/Gender-Based Harassment."
e. 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, human trafficking), or any other non-legitimate purpose.
f. Exposure/Voyeurism/Masturbation: Non-consensual exposing of 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.

With respect to conduct between Covered Individual Adults and students, any sexual or romantic conduct constitutes Sexual Misconduct (See: Reporting of Abuse, Neglect, and Inappropriate Relation Between Adults and Students Policy). Examples of Sexual Misconduct between Covered Individual Adults and students, include, but are not limited to, (1) a sexual or romantic invitation, (2) dating or soliciting a date, (3) engaging in sexualized or romantic dialog, (4) making sexually suggestive comments that are directed toward or with a student, (5) self-disclosure or physical exposure of a sexual, romantic, or erotic nature, or (6) a sexual, indecent, romantic, or erotic contact with a student.

31. Sexual Orientation-Based Discrimination
Treating an individual less favorably because of their actual or perceived sexual or orientation.

32. Sexual Orientation-Based Harassment
Unwelcome verbal, nonverbal, visual, or physical conduct that is based on an individual's actual or perceived sexual orientation. Unwelcome conduct may include 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, sex-based conduct and any other persistent, pervasive, or severe conduct that is objectively offensive and unreasonably interferes with, limits, or denies an individual's educational or employment access, benefits, or opportunities.

33. Student with Disability

A student who is an individual with a disability as defined in the Rehabilitation Act of 1973, as amended, 29 U.S.C. 705(9)(B), (20)(B), or a child with a disability as defined in the Individuals with Disabilities Education Act, 20 U.S.C. 1401(3).

34. Supportive Measures

Individualized measures offered as appropriate, as reasonably available, without unreasonably burdening a complainant or respondent, not for punitive or disciplinary reasons, and without fee or charge to the complainant or respondent to:

a. Restore or preserve that party's access to the District's education program or activity, including measures that are designed to protect the safety of the parties or the District's educational environment; or
b. Provide support during the grievance procedures described in this policy, and/or during the informal resolution process described under this policy.

35. Verbal Abuse

Demeaning, belittling, intimidating, or threatening oral or written communication in-person or via electronic means that is directed at students, with or without profanity.

Appendix B: Student Rights in Investigations

When the District learns about something that might be negatively impacting a student, an investigation may be conducted. As part of that investigation, we talk with students involved to learn more about what happened. After that, we then decide if something happened and if it did, we will let your school know and they will respond. Below are your rights, as a student, in that process.

- You have the right to have a prompt, thorough, fair, and impartial investigation being conducted.
- You have a right to be heard and to share your experience.
- You have the right to an advisor present during the process.
- You have a right to a support person of your choice present during the process.
- You have a right to let us know if you do not feel safe.
- You have a right to receive individualized supportive services at your school.
- 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 know the outcome of the investigation.
- You have a right to ask for a meeting to review the findings of the investigation.
- You have a right to be free from retaliation.

Appendix C: Employee Rights in Investigations

Chicago Public Schools (CPS) is committed to providing a safe and secure working and learning environment free from discrimination, harassment, and retaliation. When complaints of discrimination, harassment, or retaliation are received and an investigation is initiated, the parties to the complaint have certain rights during the investigation process, such as:

- You have the right to receive written notice of the investigation.
- You have the right to a prompt, reliable, and equitable resolution of the complaint.
- You have a right to receive individualized supportive services.
- You have the right to be referred to available supportive resources if needed.
- You have a right to have an advisor and/or a support person present in the room with you during the investigation process, including the opportunity to be accompanied to any related meetings or proceedings.
- You have the right to be treated with respect during the entirety of the process.
- You have a right to request that the matter be resolved through informal resolution when appropriate.
- You have the right to present witnesses, evidence, and information to support your claim.
- You have the right to be free from retaliation.
- You have the right to file a complaint with a federal, state, or local agency.
- You have a right to receive a written notice of the outcome of the investigation.

Appendix D: 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 or collect electronic communication. If there is a suspicion of inappropriate sexual images/recordings, please respond as outlined below:

- *Do not* ask that the sexually inappropriate images/recordings be sent or shown to a staff member, screenshot, uploaded into Aspen, or shared in any way. Instead, obtain detailed descriptions of the image/recording from the parties (including witnesses) and evaluate the evidence based on the consistency of the descriptions.
- Do not instruct a student to retain possession of the sexually inappropriate images/recordings.
- If sexually inappropriate images/recordings have been shared via a CPS server or device, please contact OSP for guidance on removing the content.
- If a student sends an email which contains sexually explicit photos of a minor, please record the following:
    - The exact timestamp of the email
    - The exact subject line
    - Sender's email address
    - Recipient's email address
    - Delete the email and create a ServiceNow Ticket with ITS requesting they remove the email from the server.

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 the 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 (TakeItDown).

Appendix E: Resource Guide

RESOURCE GUIDE		
Important Phone Numbers: **Chicago Rape Crisis Hotline** - 888-293-2080 **Illinois Domestic Violence Hotline** - 877-863-6338 (877-TO END DV) **Illinois Department of Children and Family Services** (DCFS) - 800-252-2873 (800-25ABUSE) **Office of Student Protections & Title IX** - 773-535-4400		
AGENCY	**DESCRIPTION**	**CONTACT INFORMATION**
All Our Children's Advocacy Center	Provides forensic interviews and coordinated services in a child/family friendly environment, where any victim of abuse can relay their experiences in a safe, age-appropriate, informal setting.	(708) 233-1176 www.aocac.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 www.alongwalkhome.org/
Apna Ghar	Sexual and domestic violence services focused on crisis response, counseling, and advocacy for immigrants. Located in Uptown and Skokie.	(773) 334-4663 www.apnaghar.org
Between Friends	Domestic violence multilingual counseling and support services, teen relationship education, and court advocacy. Confidential location.	(800) 603-4357 www.betweenfriendschicago.org
Broadway Youth Center	A safe haven for LGBTQ youth. Health clinic, drop-in services, counseling and resource advocacy. Located in Uptown.	(773) 388-1600 www.howardbrown.org/service/broadway-youth-center
Chicago Alliance Against Sexual Exploitation	Individualized legal advice, consultation, and representation following and related to sexual assault.	(773) 244-2230 www.caase.org
Chicago Children's Advocacy Center	Counseling, advocacy, case management, and referral linkages for child survivors of sexual abuse. Provide services addressing problematic sexual behavior for youth 12 and under.	(312) 492-3700 www.chicagocac.org
CPS Employee Assistance Program	CPS employees may receive free employee assistance through ComPsych GuidanceResources, which includes up to 5 confidential counseling sessions with a licensed behavioral health professional, as well as comprehensive online information/resources.	(800) 890-1213 www.guidanceresources.com/groWeb/login/login.xhtml
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 garfieldparkhospital.com

Illinois Caucus for Adolescent Health	Engage youth and communities through peer education around sexual health and reproductive justice.	(312) 427-4460 www.icah.org
Illinois Safe School Alliance	Promotes healthy development for LGBTQ youth in Illinois schools through advocacy, education, and youth organizing.	(312) 629-2988 www.ilsafeschools.org
KAN-WIN (formerly Korean American Women in Need)	Provides domestic violence and sexual violence support and advocacy focused on Asian American survivors. Confidential location.	(773) 583-0880 www.kanwin.org
La Rabida Children's Advocacy Center	Children and adolescents can receive supportive services following allegations of sexual abuse, severe physical abuse, other forms of child maltreatment, or exposure to violent crime.	(708) 481-9799 www.larabida.org/cherry-services/child-abuse-and-trauma
Life Span	Specializes in court advocacy for orders of protection and other civil legal remedies, as well as counseling for domestic violence and sexual violence. Located in the Loop.	(312) 408-1210 life-span.org
Lurie Children's Hospital of Chicago	Provides comprehensive services for transgender, gender expansive, and gender non-conforming youth, as well as offers supports for children and adolescents with sex development conditions.	Gender Development Program: (800) 543-7362 www.luriechildrens.org/en/specialties-conditions/gender-development-program/ Sex Development Program: (312) 227-6203 www.luriechildrens.org/en/specialties-conditions/atypical-genitalia-differences-of-sex-development/
Mujeres Latinas En Acción	Free bilingual/bicultural individual counseling and therapy for domestic and sexual violence.	(773) 890-7676 mujereslatinasenaccion.org
Resilience (formerly Rape Victim Advocates)	Free trauma therapy, medical, and legal advocacy related to sexual violence at multiple locations	(312) 443-9603 www.ourresilience.org
Youth Outreach Services	Behavioral health counseling and support services for youth and families, including for problematic sexual behavior. Multiple Chicago area locations and in-home services.	(773) 777-7112 www.yos.org
YWCA of Metropolitan Chicago	Sexual violence support services, including counseling, case management, and advocacy, including for non-offending family members, as well as prevention education at multiple locations.	(312) 372-6600 ywcachicago.org

Appendix F: Federal, State, & Local Laws, Regulations, & Ordinances

The following is a list of key policies that inform policies and procedures created and implemented by OSP and/or EOCO, including CPS's Comprehensive Non-Discrimination Harassment, and Relations policy:

1. **Title VI of the Civil Rights Act of 1964 (Title VI)**: Title VI protects people from discrimination based on race, color, or national origin in programs or activities that receive federal financial assistance. As a school district receiving federal financial assistance, Title VI applies to CPS, including all of its schools, education programs, and activities.
   - Title VI states that "No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."
2. **Title VII of the Civil Rights of 1964 (Title VII)**: Title VII protects employees and prospective employees from discrimination on the basis of race, color, religion, sex, or national origin. Title VII applies to all CPS employees and prospective employees, and provides protections that overlap with Title VI and Title IX for employees and prospective employees only.
   - Title VII states that "It shall be an unlawful employment practice for an employer- (1) to fail or refuse to hire or to discharge any individual, or otherwise to discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment, because of such individual's race, color, religion, sex, or national origin; or (2) to limit, segregate, or classify his employees or applicants for employment in any way which would deprive or tend to deprive any individual of employment opportunities or otherwise adversely affect his status as an employee, because of such individual's race, color, religion, sex, or national origin."
3. **Title IX of the Education Amendments of 1972 (Title IX)**: Title IX protects people from discrimination based on sex in programs or activities that receive federal financial assistance. Similar to Title VI and Title VII, Title IX also applies to CPS, including all of its schools (including Contract, Charter, and Options 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 program or activity, including but not limited to educational programs, employment, and admission 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 implementing regulations to investigate, stop, prevent, and remedy sex or gender-based harassment or discrimination, sexual misconduct, and retaliation. Additional information can be found at www.cps.edu/osp.

     Title IX Coordinator:
     Elizabeth Mendoza Browne
     Chief Title IX Officer
     110 N. Paulina St. Chicago, IL 60612
     773-535-4400 | osp@cps.edu.
4. **Abused and Neglected Child Reporting Act** (ANCRA) (325 ILCS 5): ANCRA protects minors under the age of 18 from abuse and neglect by requiring that individuals

responsible for children's welfare, including educational personnel, report suspected abuse or neglect to the Illinois DCFS Hotline.

5. **Faith's Law** (105 ILCS 5/22-85.5(c)): Defines "sexual misconduct" within the Illinois School Code and outlines requirements for schools to develop and post employee code of professional conduct policies.
   - ***Sexual Misconduct*** means any act, including, but not limited to, any verbal, nonverbal, written, or electronic communication or physical activity, by an employee or agent of the school district, charter school, or nonpublic school with direct contact with a student that is directed toward or with a student to establish a romantic or sexual relationship with the student. Such an act includes, but is not limited to, any of the following: (1) A sexual or romantic invitation, (2) Dating or soliciting a date, (3) Engaging in sexualized or romantic dialog, (4) Making sexually suggestive comments that are directed toward or with a student, (5) Self-disclosure or physical exposure of a sexual, romantic, or erotic nature, and (6) A sexual, indecent, romantic, or erotic contact with the student.
6. **Illinois Bullying Prevention Law** (105 ILCS 5/27-23.7): This law protects students from bullying based on actual or perceived race, color, religion, sex, national origin, ancestry, physical appearance, socioeconomic status, academic status, pregnancy, parenting status, homelessness, age, marital status, physical or mental disability, military status, sexual orientation, gender-related identity or expression, unfavorable discharge from military service, association with a person or group with one or more of the aforementioned actual or perceived characteristics.
7. **Illinois Human Rights Act** (775 ILCS 5): This law protects people from discrimination based on race, color, religion, sex, national origin, ancestry, age, order of protection status, marital status, physical or mental disability, military status, sexual orientation (including gender-related identity), pregnancy, reproductive health decisions, or unfavorable discharge from military service in connection with employment and the availability of public accommodations, including in elementary, secondary, and higher education. Additionally this law specifically protects students from sexual harassment (defined below) and from harassment based on a student's actual or perceived race, color, religion, national origin, ancestry, age, sex, marital status, order of protection status, disability, military status, sexual orientation (including gender-related identity), pregnancy, or unfavorable discharge from military service that has the purpose or effect of substantially interfering with a student's educational performance or creating an intimidating, hostile, or offensive educational environment.
   - ***Sexual Harassment (Illinois Human Rights Act)*** means any unwelcome sexual advances or requests for sexual favors or any conduct of a sexual nature when:
     - Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment,
     - Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or
     - Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.
   - ***Sexual Harassment in Elementary, Secondary, and Higher Education*** *(775 ILCS 5/5A-101(E))* means any unwelcome sexual advances or requests for sexual favors made by an elementary, secondary, or higher education representative to a student, or

any conduct of a sexual nature exhibited by an elementary, secondary, or higher education representative toward a student, when such conduct has the purpose of substantially interfering with the student's educational performance or creating an intimidating, hostile or offensive educational environment; or when the elementary, secondary, or higher education representative either explicitly or implicitly makes the student's submission to such conduct a term or condition of, or uses the student's submission to or rejection of such conduct as a basis for determining one of twelve enumerated educational outcomes.

8. **Racism Free Schools Act** (Public Act 103-0472): The Racism Free Schools Act amended the Illinois Human Rights Act to clarify protections from discrimination and harassment and to add specific requirements for schools districts, including that each create, implement, and maintain a policy prohibiting discrimination and harassment based on race, color, and national origin and prohibiting retaliation.
9. **Chicago Human Rights Ordinance** (Chicago Municipal Code Section 6-10-040): The Chicago Human Rights Ordinance protects people from discrimination based on race, color, sex, gender identity, age, religion, disability, national origin, ancestry, sexual orientation, marital status, parental status, military status, credit history, criminal history, or source of income. Additionally, this ordinance specifically protects against sexual harassment.
    - ***Sexual Harassment (City of Chicago)*** means any:
        - Unwelcome sexual advances or unwelcome conduct of a sexual nature;
        - Requests for sexual favors or conduct of a sexual nature when:
            - Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or
            - Submission to or rejection of such conduct by an individual is used as the basis for any employment decision affecting the individual; or
            - Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment; or
        - Sexual misconduct, which means any behavior of a sexual nature which also involves coercion, abuse of authority, or misuse of an individual's employment position.