

July 22, 2020

**RESCIND BOARD REPORT 19-0522-PO1
COMPREHENSIVE NON-DISCRIMINATION, HARASSMENT, AND RETALIATION POLICY
AND ADOPT AN INTERIM NEW COMPREHENSIVE NON-DISCRIMINATION, HARASSMENT,
SEXUAL HARASSMENT, SEXUAL MISCONDUCT AND RETALIATION POLICY**

THE CHIEF EXECUTIVE OFFICER RECOMMENDS:

That the Chicago Board of Education ("Board") rescind Board Report 19-0522-PO1 Comprehensive Non-

Discrimination, Harassment, and Retaliation Policy and adopt on an Interim Basis a New Comprehensive Non-Discrimination, Harassment, Sexual Harassment, Sexual Misconduct and Retaliation Policy effective August 14, 2020. This Policy is being submitted as an Interim Policy to ensure that the District is in compliance with the new United States' Department of Education's Title IX regulations effective August

C. **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

offensive and unreasonably interferes with, limits, or denies an individual's educational or employment process, benefits, opportunities. Unwelcome conduct may include, but is

- Statutory Rape - Nonforcible 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).

(4) "dating violence," defined as: 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

definition:

Dating violence includes, but is not limited to, sexual or physical abuse or the threat

Harassment, Sexual Harassment or Sexual Misconduct under this Policy, whether internal or external with a federal, state, or local agency is strictly prohibited. An adverse

action can include, discipline or denial of access to a service or benefit. For purposes of Title IX, intimidation, threats, coercion, or discrimination, including charge escalation

B. Covered Individuals: All employees, students, contractors, consultants, vendors, volunteers, visitors, applicants for employment or members of the Board of Education of the City of Chicago or local school councils are Covered Individuals and subject to this

III. REPORTING AND INVESTIGATING DISCRIMINATION, HARASSMENT, SEXUAL HARASSMENT, SEXUAL MISCONDUCT OR RETALIATION

All Covered Individual adults must report Sexual Harassment to the District's Title IX Coordinator. A Covered Individual adult's failure to report violations of this Policy is subject to ~~disciplinary actions up to and including termination, removal from, and prohibition from~~

D. Equal Opportunity Compliance Office (EOCO)

110 N. Paulina Street

Chicago, IL 60612

Phone: 773-553-1013

- For inquiries or complaints related to Covered Individual adult complainants regarding Discrimination, Harassment, Sexual Harassment, Sexual Misconduct and Retaliation based on Protected Categories.
- Refer to the EOCO Procedure Manual ([Click Here](#))

E. File an incident report in Aspen

Consult the Investigations Unit of the Law Department for assistance at

773-553-3100

- For inquiries or complaints related to adult-to-student Discrimination, Harassment and/or Retaliation based on Protected Categories other than gender, sex or disability.

In compliance with the Board's Policy on Reporting of Child Abuse, Neglect and Inappropriate Relations Between Adults and Students, Board Report: 18-0627-PO3A, all school personnel are mandated reporters who are required to immediately call the DCFS Hotline at 1-800-252-2873 (1-800-25-ABUSE) when there is reasonable cause to believe that a child known to the reporter in the reporter's official capacity may have been abused or neglected, as well as any interactions or behaviors which suggest that an adult has or had an inappropriately intimate relationship with a child or may be grooming a child, even if the employee does not have reasonable suspicion that

sex abuse is occurring or has occurred.

B. All complaints of sex or gender-Based Discrimination, Harassment, Sexual Harassment,

and investigated using the procedures outlined in the OSR Procedures Manual (Click

Here).

C. The Title IX Officer at all times reports directly to the Board's Chief Executive Officer, must

V. VIOLATIONS AND DISCIPLINE/SANCTIONS

A. Violations: It is a violation of this Policy for:

- (1) Any Covered Individuals to engage in Discrimination, Harassment, Sexual Harassment, Sexual Misconduct, or Retaliation;
- (2) A Covered Individual adult to intentionally ignore conduct of which they are aware or happens in their presence. An adult intentionally ignores conduct by failing to report that conduct pursuant to Section III of this policy.
- (3) Any employee, contractor, consultant or vendor to fail to report Discrimination, Harassment, Sexual Harassment, Sexual Misconduct or Retaliation;
- (4) Any Covered Individual adult to refuse to cooperate, participate and/or provide truthful information in an investigation conducted in compliance with this Policy; and
- (5) Any Covered Individual to knowingly report false allegations and/or knowingly provide false information during the course of an investigation.

B. Discipline/Sanctions:

Discipline/Sanctions for violations of this Policy may include, but is not limited to:

termination.

(2) Letting to Government Individuals regarding prohibited Discrimination, Harassment, Sexual

Harassment, Sexual Misconduct and Retaliation will be posted in a prominent location at all schools, Network offices, in each Central Office location and on the District's website.

areas throughout the District, including at every District school, Network Office, and Central

Approved for Consideration:

DocuSigned by:
LaTanya McDade
396384628F8A43A...

LaTanya D. McDade
Chief Education Officer

Approved:

DocuSigned by:
Janice Jackson
7970DEEE92FD49F...

Janice K. Jackson
Chief Executive Officer

Approved for Consideration:

DocuSigned by:
[Redacted]

Approved as to Legal Form:

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DocuSigned by:
[Redacted]