

# **Student Policy on Anti-Discrimination, Anti-Harassment and Anti-Retaliation (Student DHR Policy)**

Effective Date: August 1, 2024  
Revised Date: February 18, 2025\*

This document sets forth The Chicago School's Student Policy on Anti-Discrimination, Anti-Harassment, and Anti-Retaliation (Student DHR Policy) and includes definitions of relevant terms, reporting and response procedures, and the right and responsibilities of members of The Chicago School Community who are impacted by discrimination, harassment, or retaliation in relation to the academic environment.

Questions about this Policy may be directed to:

**Office of the Dean for Student Success**

Jennifer Stripe Portillo, Dean for Student Success, 213-615-7264  
Daniel Esquivel, Assistant Dean for Student Success, 213-283-4267  
[studentsuccess@thechicagoschool.edu](mailto:studentsuccess@thechicagoschool.edu)

A student may direct questions about discrimination, harassment, retaliation to:

**United States Department of Education Office of Civil Rights (OCR)**

Customer Service Hotline: 800-421-3481  
TDD#: 877-521-2172  
Website: [www.ed.gov/ocr](http://www.ed.gov/ocr)  
E-mail: [ocr@ed.gov](mailto:ocr@ed.gov)  
400 Maryland Avenue SW, Washington, DC 20202-1100

\*On January 9, 2025, Title IX regulations from the United States Department of Education that went into effect on August 1, 2024 were vacated by a federal district court decision. As a result, The Chicago School made necessary adjustments to comply with the most recent changes to the Title IX regulations which impacted this policy. Specifically, The Chicago School revised this policy effective January 9, 2025.

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## A. General Introduction

The purpose of the Student DHR Policy is to prohibit all forms of discrimination, harassment, and retaliation, to ensure compliance with federal and state civil rights laws and regulations, and to affirm The Chicago School’s commitment to promoting the goals of fairness and equity in all aspects of its education programs or activities. The Chicago School prohibits discrimination against and harassment of members of its community including but not limited to its applicants, students, and employees based on race, ethnicity, color, sex, gender, gender identity, gender expression, genetic information, religion, creed, age (40 years or older), national or ethnic origin or ancestry, sexual orientation, physical or mental disability, marital status, parental status, pregnancy, military or veteran status, political activities/affiliations, or any other category protected by law or included in The Chicago School’s Non-Discrimination Statement (“Protected Categories”).

The Chicago School also prohibits sexual harassment as defined by Title IX and as set forth in Policy Prohibiting Sexual Harassment Under Title IX (Title IX Policy).

[The Chicago School’s Non-Discrimination Statement is posted online.](#)

The Chicago School’s Equal Employment Opportunity, Non-Discrimination and Anti-Harassment Policy prohibiting discrimination against and harassment involving employees is posted on the employee intranet.

<b>Complaint Type</b>	<b>Complainant</b>	<b>Respondent</b>	<b>Applicable Policy</b>	<b>Contact</b>
Sexual Harassment	Student or Employee	Student or Employee	Title IX Policy	<a href="mailto:titleix@thechicagoschool.edu">titleix@thechicagoschool.edu</a>
Protected Category other than sexual harassment	Student	Student or Employee	Student DHR Policy	<a href="mailto:studentsuccess@thechicagoschool.edu">studentsuccess@thechicagoschool.edu</a>
Protected Category other than sexual harassment	Employee	Employee	Equal Employment Opportunity, Non-Discrimination, and Anti-Harassment Policy	<a href="mailto:national-hr@thechicagoschool.edu">national-hr@thechicagoschool.edu</a>

The Chicago School prohibits retaliation against any person who exercises their rights under the Student DHR Policy, including filing a good faith report of harassment or discrimination, participating in the complaint resolution procedures relating to the same, supporting a Complainant or Respondent, or assisting in providing information relevant to an investigation.

The Chicago School has developed the Student DHR Policy and its procedures to reinforce the prohibition of discrimination against and the harassment of Chicago School students in their education programs or activities on campus or on property owned or controlled by The Chicago School or at Chicago School-sponsored events. The primary concern of the Student DHR Policy is student safety. The procedures provide a prompt, fair, non-adversarial, and impartial process for those involved in an allegation of discrimination or harassment on the basis of any of the Protected Categories (except for sexual harassment which is covered by the Title IX Policy), as well as for allegations of retaliation. The investigation and adjudication of alleged misconduct under this policy is not an adversarial process between the parties and witnesses, but rather a process for The Chicago School to comply with its obligations under existing law. The Complainant does not have the burden to prove, nor does the Respondent have the burden to disprove, the underlying allegations of misconduct. The Chicago School values and upholds the equal dignity of all members of its community and strives to balance the rights of the parties in the resolution process during what is often a difficult time for all those involved.

Sexual harassment that falls under the Title IX definition will be investigated and resolved under the Title IX Policy.

## I. Scope of this Policy

The Student DHR Policy applies to the education programs and activities of The Chicago School and to conduct that takes place on a campus or property owned or controlled by The Chicago School or at a Chicago School-sponsored event. The Respondent must be a member of The Chicago School community for its policies to apply.

This policy can also be applicable to the effects of off-campus misconduct that effectively deprives someone of access to The Chicago School's education programs or activities. The Chicago School may also extend jurisdiction to off-campus and/or online conduct when the Dean for Student Success determines that the conduct affects a substantial Chicago School interest.

Regardless of where the conduct occurred, The Chicago School will review complaints to determine whether the conduct occurred in the context of its education programs or activities and/or has continuing effects on a campus or in an off-campus sponsored program or activity. A substantial Chicago School interest includes:

- Any action that could contribute to a hostile education environment or otherwise interfere with a student's access to education;
- Any action that constitutes a criminal offense as defined by law. This includes, but is not limited to, single or repeat violations of any local, state, or federal law;
- Any situation in which it is determined that the Respondent poses an immediate threat to the health or safety of any student or other individual;
- Any situation that significantly impinges upon the rights, property, or achievements of oneself or others or significantly breaches the peace and/or causes social disorder; and/or
- Any situation that is detrimental to the educational interests or mission of The Chicago School.

If the Respondent is unknown or is not a member of the Chicago School community, the Dean for Student Success will assist the Complainant in identifying appropriate school and local resources and support options and/or, when criminal conduct is alleged, in contacting local law enforcement, where applicable, if the Complainant would like to file a police report.

Further, even when the Respondent is not a member of The Chicago School community, or the misconduct occurred prior to the parties' affiliation with The Chicago School, supportive measures, remedies, and resources may be available to the Complainant by contacting the Dean for Student Success.

In addition, The Chicago School may take other actions as appropriate to protect the Complainant against third parties, such as barring individuals from Chicago School property and/or events. All vendors serving The Chicago School through third-party contracts are subject to the policies and procedures of their employers.

When the Respondent is enrolled in or employed by another institution, the Dean for Student Success can assist the Complainant in liaising with the appropriate individual at that institution, as it may be possible to allege violations through that institution's policies. Similarly, the Dean for Student Success may be able to advocate for a Complainant who experiences misconduct at a training site, during a study abroad program, or in another environment external to The Chicago School where harassment, retaliation, or nondiscrimination policies and procedures of the facilitating or host organization may give recourse to the Complainant.

When the Respondent is a member of The Chicago School community, a resolution process may be available regardless of the status of the Complainant, who may or may not be a member of The Chicago School community. This community includes but is not limited to, students, student organizations, faculty, administrators, staff, and third parties such as guests, visitors, volunteers, and invitees. The procedures below may be applied to incidents, to patterns, and/or to the campus climate, all of which may be addressed and investigated in accordance with the Student DHR Policy.

## II. Independence and Conflict of Interest

The Dean for Student Success acts with independence and authority, free from bias and conflicts of interest. The Dean for Student Success oversees all resolutions under the Student DHR Policy and procedures. The individuals who play a role in the processes outlined below are vetted and trained to ensure they are not biased for or against any party in a specific case, or for or against Complainants and/or Respondents, generally.

To raise any concern involving bias or conflict of interest by the Dean for Student Success, contact the Chief Operating Officer. Concerns of bias or a potential conflict of interest by any other individual involved in the processes outlined below should be raised with the Dean for Student Success.

Reports of discrimination, harassment, or retaliation committed by the Dean for Student Success should be reported to the Chief Operating Officer. Reports of discrimination, harassment, or retaliation committed by any other individual involved in the processes outlined in the Student DHR Policy should be reported to the Dean for Student Success.

### III. Time Limits on Reporting

There is no time limitation on providing notice/complaints to the Dean for Student Success. However, if the Respondent is no longer subject to The Chicago School's jurisdiction and/or significant time has passed, the ability to investigate, respond, and provide remedies may be more limited or impossible.

Acting on notice/complaints significantly impacted by the passage of time (including, but not limited to, the rescission or revision of policy) is at the discretion of the Dean for Student Success, who may document allegations for future reference, offer supportive measures and/or remedies, and/or engage in informal or formal action, as appropriate.

When notice/complaint is affected by significant time delay, The Chicago School will typically apply the policy in place at the time of the alleged misconduct and the procedures in place at the time of notice/complaint.

### IV. Prohibited Conduct - Discrimination & Harassment

Discrimination is adverse action taken against or harassment of an individual based on membership in any Protected Category.

Harassment refers to unwelcome behavior based on membership in any Protected Category. Harassment becomes impermissible where 1) enduring the offensive conduct becomes a condition for any academic-related purpose or 2) the conduct is severe or pervasive enough to create an academic environment that a reasonably prudent person would consider intimidating, hostile, or abusive.

The Student DHR Policy prohibits discrimination, harassment, and retaliation based on membership in a Protected Category. Sex harassment is governed by the Title IX Policy.

The Student DHR Policy is not meant to inhibit or prohibit educational content or discussions inside or outside of the classroom that include germane, but controversial or sensitive subject matters protected by academic freedom. The sections below describe the forms of legally prohibited discrimination and harassment also prohibited under Chicago School policy. Consistent with federal and state law, when speech or conduct is protected by academic freedom and/or the First Amendment, it will not be considered a violation of Chicago School policy, though supportive measures may be offered to those impacted.

Petty slights, annoyances, and isolated incidents will not rise to the level of violation of a Chicago School policy or rule. To be considered a violation, the conduct must create an environment that would be intimidating, hostile, or offensive to a reasonably prudent person.

Offensive conduct may include but is not limited to jokes, slurs, epithets or name calling, physical assaults or threats, intimidation, ridicule or mockery, insults or put-downs, offensive objects or pictures, or interference with academic performance.

When discriminatory harassment rises to the level of creating a hostile environment, The Chicago School may also impose sanctions on the Respondent through the application of the appropriate resolution process below.

The Student DHR Policy includes a prohibition of online and cyber manifestations of any of the behaviors prohibited when those behaviors occur in or have an effect on The Chicago School's education program and activities or use The Chicago School networks, technology, or equipment.

## V. Prohibited Conduct – Retaliation

Retaliation is prohibited by law and by The Chicago School's Student DHR Policy, and anyone found to have engaged in retaliation shall be subject to disciplinary action.

Retaliation is any materially adverse action taken against an individual because they were involved in the disclosure, reporting, investigation or resolution of a report of discrimination, harassment or retaliation. Retaliation includes threats, intimidation, harassment, coercion, discrimination, violence, or any other conduct against any person by The Chicago School, a student or an employee or other person authorized by The Chicago School to provide aid, benefit or services under The Chicago School's education program or activity, for the purpose of interfering with any right or privilege secured by the Student DHR Policy or by law. Adverse action does not include perceived or petty slights or trivial annoyances.

The Chicago School bars retaliation against any member of The Chicago School community who exercises any rights or privileges. Charges against an individual for code of conduct violations that do not involve discrimination or harassment but arise out of the same facts or circumstances as a report or complaint of discrimination or harassment for the purpose of interfering with any right or privilege secured by law, constitutes retaliation.

The exercise of rights protected under the First Amendment does not constitute retaliation. Charging a student with a code of conduct violation for making a materially false statement in bad faith in the course of a resolution process under the Student DHR Policy and procedure does not constitute retaliation, provided that a determination regarding responsibility, alone, is not sufficient to conclude that any party has made a materially false statement in bad faith. Further, a complaint filed in good faith under the Student DHR Policy shall not constitute retaliation.

## VI. Reporting Discrimination, Harassment, or Retaliation

The Chicago School will promptly investigate possible discrimination, harassment, or retaliation whenever it becomes aware of such conduct or otherwise respond if it determines that an investigation is not required. A student who believes that they have been subjected to discrimination, harassment, or retaliation is encouraged to report the conduct immediately to the Dean for Student Success. An employee who believes that they have been subject to sexual harassment should contact the Title IX Coordinator as those matters are handled under the Title IX Policy. An employee who believes that they have been subject to harassment, discrimination, or retaliation should contact Human Resources as those matters are handled under the Equal Employment Opportunity, Non-Discrimination and Anti-Harassment Policy.

When an alleged violation of the Student DHR Policy is reported, the allegations are subject to resolution using the appropriate process, as determined by the Dean for Student Success and as detailed below. The report should include details of the incident or incidents, names of the individuals involved, names of any witnesses, and any documentation supporting the allegation.



## VII. Privacy and Requests for Confidentiality

Every effort is made by The Chicago School to preserve the privacy of the parties involved in making reports and/or participating in the processes outlined in the Student DHR Policy. The Chicago School will not share the identity of any individual who has made a report or complaint of discrimination, harassment, or retaliation; any Complainant, any individual who has been reported to be the perpetrator of discrimination, harassment, or retaliation, any Respondent, or any witness, except as permitted by the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. 1232g; FERPA regulations, 34 CFR part 99; or as required by law; or to carry out the purposes of the Student DHR Policy including conducting any investigation or resolution.

The Chicago School reserves the right to designate which Chicago School officials have a legitimate educational interest in being informed about incidents that fall within the Student DHR Policy, pursuant to FERPA. Information about the incident and investigation will be provided on a need-to-know basis only or as otherwise required or permitted by law.

Anonymous reports will be preliminarily investigated to the extent possible, both to assess the underlying allegation(s) and to determine if remedies can be provided. However, anonymous reports typically limit The Chicago School's ability to investigate, respond, and provide remedies, depending on what information is shared.

## VIII. Policy Review and Revision

The Student DHR Policy will be reviewed and updated when necessary by the Dean for Student Success. The Dean for Student Success will submit modifications to the Student DHR Policy in a manner consistent with institutional policy upon determining that changes to law, regulation, or best practices require alterations not reflected in the Student DHR Policy. The Student DHR Policy definitions in effect at the time of the conduct will apply even if the Student DHR Policy is changed subsequently unless the parties provide written consent to be bound by the current policy.

The Student DHR Policy may be revised at any time without notice. All revisions supersede the prior policy and are effective immediately upon posting to The Chicago School website.

The Student DHR Policy does not create legally enforceable protections beyond the protections of the background state and federal laws that frame such policies and codes, generally.

## B. Discrimination, Harassment, and Retaliation Resolution Process

Upon receipt of a student report alleging discrimination, harassment, or retaliation, the Dean for Student Success will determine the appropriate next steps in accordance with the Student DHR Policy. The appropriate process depends on the type of allegation. If the allegations involve sexual harassment within the Title IX definitions, the Resolution Process outlined in the Title IX Policy will be followed. If the allegations involve all other types of discrimination, harassment, or retaliation, the process in the Student DHR Policy will be followed.

These procedures may also be used to address collateral misconduct arising from the investigation of or occurring in conjunction with harassing or discriminatory conduct, e.g.,



vandalism, physical abuse of another. All other allegations of misconduct unrelated to incidents covered by the Student DHR Policy will be addressed through the procedures elaborated in the respective student, faculty, and staff handbooks.

## I. Initial Assessment

After reviewing a report, the Dean for Student Success will conduct an initial assessment. The steps in an initial assessment will include contacting the Complainant to offer supportive measures, including counseling resources, and to determine how the Complainant wishes to proceed in addition to reviewing and/or discussing the information provided in the report with the Complainant. The initial assessment is not intended to be a full investigation interview. The Dean for Student Success will provide the Complainant with a link to the Student DHR Policy.

The initial assessment will include a review of whether the reported conduct may reasonably constitute a violation of the Student DHR Policy and whether The Chicago School has jurisdiction over the reported conduct.

At the initial assessment concludes, the Dean for Student Success will determine the appropriate next steps. If the Complainant does not wish to go forward with an investigation, the Dean for Student Success has the discretion to take any necessary measures to ensure that discrimination, harassment, or retaliation are remedied. In addition, the Dean for Student Success will seek to abide by the Complainant's wishes but may have to take an alternative approach depending on their analysis of the situation.

If the allegation cannot be resolved informally, where appropriate, The Chicago School will undertake an effective, non-adversarial, thorough, and objective investigation.

If it is determined that unlawful discrimination, harassment, and/or retaliation has occurred, effective remedial action will be taken in accordance with the circumstances of the incident. Appropriate action will also be taken to deter any future unlawful discrimination, harassment, and/or retaliation. An individual who violates the Student DHR Policy will be subject to disciplinary action up to and including removal from the institution.

## II. Supportive Measures

The Chicago School will offer and implement appropriate and reasonable supportive measures to the parties upon notice of alleged harassment, discrimination, and/or retaliation and as deemed appropriate by the Dean for Student Success. Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the parties to restore or preserve access to The Chicago School's education programs or activities, including measures designed to protect the safety of all parties or The Chicago School's educational environment, and/or deter harassment, discrimination, and/or retaliation.

The Chicago School will maintain the privacy of the supportive measures, provided that privacy does not impair The Chicago School's ability to provide the supportive measures. The Chicago School will act to ensure as minimal an academic impact on the parties as possible. The Chicago School will implement measures in a way that does not unreasonably burden any party.

Supportive measures may include: referral to counseling services; student financial aid advising; an institutional no-contact order; academic support including extensions on academic deadlines or other course/academic program-related adjustments; and class or student employee work schedule modifications; or time off from school. Parties may also consult with an attorney at their own expense at any point in the process. Supportive Measures may be offered to Respondents when they are notified of the allegations.

Supportive measures are also available for incidents of discrimination or harassment that occurred prior to the parties' association with The Chicago School where such incidents could contribute to a hostile educational environment or otherwise interfere with a student's access to education where both individuals are, at the time of the request for supportive measures, subject to The Chicago School policies.

### III. Emergency Removal

The Chicago School can act to remove a Respondent partially or entirely from its education programs or activities on an emergency basis when an individualized safety and risk analysis has determined that an immediate threat to the health or safety of any student or other individual justifies removal.

In all cases in which an emergency removal is imposed on a student, the student will be given notice of the action and the option to request to meet with the Dean for Student Success prior to such action/removal being imposed, or as soon thereafter as reasonably possible, to show cause why the action/removal should not be implemented or should be modified. This meeting is not a review or determination on the merits of the allegation(s), but rather is an administrative process intended to determine solely whether the emergency removal is appropriate. There is no appeal process for emergency removal decisions.

If the Dean for Student Success determines, in consultation with Human Resources, that it is appropriate, a non-student employee who is a Respondent may be placed on administrative leave while these procedures are pending.

The Dean for Student Success has sole discretion under the Student DHR Policy to implement or stay an emergency removal and to determine the conditions and duration. Violation of an emergency removal under the Student DHR Policy will be grounds for discipline, which may include dismissal. At the discretion of the Dean for Student Success, alternative coursework options may be pursued to ensure as minimal an academic impact as possible on the parties.

### IV. Informal Resolution

Informal Resolution is applicable when the parties voluntarily agree to resolve the matter or when the Respondent accepts responsibility for violating the Student DHR Policy, or when the Dean can resolve the matter informally by providing remedies and/or sanctions to resolve the situation.

It is not necessary to pursue Informal Resolution first in order to pursue Administrative Resolution, and any party participating in Informal Resolution can stop the process at any time and request the Administrative Resolution process. Further, if an Informal Resolution fails after the fact, Administrative Resolution may be pursued.

## V. Administrative Resolution

If Administrative Resolution is initiated, the Dean for Student Success will provide written notification of the investigation to the parties via communication sent to the Chicago School-issued email address. This will occur at an appropriate time during the investigation and include a meaningful summary of the allegations.

Typically, notice is given at least 48 hours in advance of a meeting. Advanced notice facilitates the parties' ability to identify and choose a support person, if any, to accompany them to the interview. The support person must be a member of The Chicago School community. The Complainant and Respondent must notify the investigator of the identity of the support person at least 24 hours before a meeting.

The support person's role is to advise and support the Complainant or Respondent. The support person can help the party prepare for meetings, can attend meetings with the party, and can review materials generated by the investigator and provided as evidence, where relevant. The support person may not communicate with an investigator on behalf of the Complainant or the Respondent.

A support person who steps out of their role in any meeting will be warned once. If the support person continues to disrupt or otherwise fails to respect the limits of their role, the meeting will be ended, or other appropriate measures will be implemented. Subsequently, the investigator will determine how to address the support person's non-compliance and future role, if any.

If a party's support person refuses to comply with The Chicago School's established rules of decorum for the resolution process, The Chicago School may require the party to use a different support person. The parties may consult with attorneys, at their own expense, at any stage in the process.

The parties are expected to ask and respond to questions on their own behalf throughout the investigation. While the support person may not speak on behalf of the Complainant or Respondent, the support person may consult with their party, either privately or quietly, by passing notes during any resolution process meeting or interview as long as they do not disrupt the process. For longer or more involved discussions, the party and their support person should ask for a break for private consultation.

The Chicago School aims to complete all investigations within a sixty (60) business day period, which can be extended by the Dean for Student Success for appropriate cause and with notice to the parties as appropriate. If a Respondent leaves the institution while unresolved allegations are pending, the process will end as The Chicago School will no longer have jurisdiction over them. The Chicago School will continue to address and remedy any systemic issues or concerns that may have contributed to the alleged violation(s) and any ongoing effects of the alleged misconduct.

A student Respondent who withdraws while the process is pending may not return to The Chicago School. Such exclusion applies to all students in all programs. A hold will be placed on their ability to be readmitted. They may also be barred from Chicago School property and/or events.

If the student Respondent withdraws or takes a leave for a specified period (e.g., one term or semester), the resolution process may continue remotely, and that student is not permitted to return to The Chicago School unless and until all sanctions have been satisfied.

An employee Respondent who resigns with unresolved allegations pending is not eligible for rehire with The Chicago School and the records retained by Student Success will reflect that status.

The Dean for Student Success will vet the assigned investigator(s) to ensure impartiality by ensuring there are no conflicts of interest or disqualifying bias. The parties may raise a concern regarding bias or conflict of interest at any time during the resolution process, and the Dean for Student Success will determine whether the concern is reasonable and supportable. If so, another investigator will be assigned and the impact of the bias or conflict, if any, will be remedied. If the bias or conflict relates to the Dean for Student Success, concerns should be raised to the Chief Operating Officer.

Investigations involve interviews with all relevant parties and witnesses, obtaining available, relevant evidence, and identifying sources of expert information, as necessary. All parties have a full and fair opportunity, through the investigation process, to suggest witnesses and to provide evidence.

The investigation will typically include the following steps, if not already completed and not necessarily in this order: identify all policies implicated by the alleged misconduct; develop an investigation plan with a witness list, document/records list and order of interviews of parties and witnesses; provide the parties with an opportunity to review and verify the investigator's summary notes from interviews and meetings with that specific party; provide regular status updates to the parties throughout the investigation; and prepare a written investigation report that summarizes the investigation.

The investigation report will conclude with a determination, based on a preponderance of the evidence, of whether the Respondent violated the Student DHR Policy and, if so, a recommendation for a sanction. The report is not provided to any parties or witnesses.

If an employee is found in violation of this policy, the matter will be referred to Human Resources to determine appropriate sanctions. Human Resources will issue its sanctions decision within 10 business days of notification of a violation by the Dean for Student Success. Human Resources will send the sanctions letter to the employee, be responsible for ensuring that sanctions are completed, and keep all communications in the employee's personnel file. Sanctions administered to employees found in violation of this policy are not communicated to the Complainant or witnesses.

If the Respondent is a student, a Sanctions Panel will be used, as set forth in the next section.

## VI. Determination of Appropriate Sanctions

The sanctions process is intended to provide an equitable procedure to the Complainant and the Respondent, showing promptness, fairness, and impartiality.

The Dean for Student Success will convene a Sanctions Panel. The Sanctions Panel will include three members selected from a pool of administrators and faculty trained in sanctioning violations of the Student DHR Policy. One panel member shall be designated as the leader of

the proceedings. The Complainant and the Respondent will receive written notice of the Sanctions Panel members and will have an opportunity to request a substitution if the participation of any of the individuals named poses a conflict of interest. The Complainant and Respondent must submit their written request for substitution to the Dean for Student Success within 24 hours of receiving panel member names.

After the Sanctions Panel has been convened, members will be provided with the investigator's findings and recommended sanctions.

Within five (5) business days of receipt of materials, the Sanctions Panel shall meet to determine what sanctions, if any, will be issued. In making such a determination, the Sanctions Panel will not reconsider the findings, but will determine what sanctions are appropriate to remedy the violation and maintain or enhance safety from misconduct in The Chicago School's education programs and activities.

If a student fails to comply with sanctions issued by the Sanctions Panel, the matter will be brought back to the Sanctions Panel for a determination of whether additional sanctions should be imposed. If the failure to comply with the sanctions is deemed willful or intentional, additional sanctions may be imposed. Also, the Sanctions Panel may work with the Dean for Student Success to address the failure to comply.

## VII. Appeal Process

### *Students*

Any student who is a Complainant or Respondent under the Student DHR Policy has the right to appeal the determination of a violation of the Student DHR Policy and any sanctions decision by submitting a written letter of appeal to their College Dean within five business days of issuance of the investigative determination and sanctions decision. All appeals must be based on one or more of the following:

- New information that could not be presented at the time of the investigation or sanctions decision that would substantially change the outcome;
- The imposed sanction is disproportionate to the violation; or
- Evidence of improper procedure that may impact the outcome.

The student's written appeal must include:

- A specific statement of the decision that is being appealed;
- The student's desired outcome;
- All information that the student wishes the College Dean to take into account in consideration of the appeal; and
- A statement of the student's views as to how this information justifies the appeal based on the three grounds listed above.

The College Dean shall have had no prior involvement in the initial determination and finding and shall have no conflict of interest with either party. If there is a conflict of interest, the appeal

will be reviewed by another College Dean who will be selected by the Dean for Student Success.

If the College Dean determines that the appeal is without merit or does not meet the requirements set forth above, the College Dean will reject the appeal.

If the College Dean determines that the appeal is properly constituted, the College Dean will determine what next steps are appropriate. This may include remanding the matter to the Dean for Student Success for further investigation or remanding the matter to the Sanctions Panel for consideration. The College Dean will issue a written decision to both parties within five (5) business days of receipt of the written appeal.

### *Employees*

Any employee who is a Respondent under the Student DHR Policy has the right to appeal the determination of a violation and sanctions by submitting a written letter of appeal to the Chief Operating Officer within five (5) business days of issuance of the investigative determination and sanctions decision.

All appeals must be based on one or more of the following:

- New information that could not be presented at the time of the investigation or sanctions decision that would substantially change the outcome;
- The imposed sanction is disproportionate to the violation; or
- Evidence of improper procedure that may impact the outcome.

The employee's written appeal must include:

- A specific statement of the decision that is being appealed;
- The employee's desired outcome;
- All information that the employee wishes the Chief Operating Officer to take into account in consideration of the appeal; and
- A statement of the employee's views as to how this information justifies the appeal based on the three grounds listed above.

The Chief Operating Officer shall have had no prior involvement in the initial determination and finding and shall have no conflict of interest with either party. If there is a conflict of interest, the Dean for Student Success will assign the appeal to another Cabinet-level administrator.

If the Chief Operating Officer determines that the appeal is without merit or does not meet the requirements set forth above, the Chief Operating Officer will reject the appeal.

If the Chief Operating Officer determines that the appeal is properly constituted, the Chief Operating Officer will determine what next steps are appropriate, which may include but is not limited to remanding the matter to the Dean for Student Success for further investigation or remanding to Human Resources for consideration. The Chief Operating Officer will issue a written decision to both parties within five (5) business days of receipt of the written appeal.

## VIII. Cross-Claims

The Chicago School is obligated to ensure that the resolution process is not abused for retaliatory purposes. The Chicago School permits the filing of cross-claims but uses an initial assessment, described above, to assess whether the allegations in the cross-claim are made in good faith. Cross-claims by the Respondent may be made in good faith, but are, on occasion, also made for purposes of retaliation.

Cross-claims determined to have been reported in good faith will be processed using the resolution procedures above. Investigation of such claims may take place after resolution of the underlying initial allegation, in which case a delay may occur. Cross-claims may also be resolved through the same investigation as the underlying allegation, at the discretion of the Dean for Student Success. When cross-claims are not made in good faith, they will be considered retaliatory, and may constitute a violation of this policy.