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January 1, 2022



Fiscal Year 2021 Annual Report

Chicago Board of Education 🍎 Office of Inspector General

Will Fletcher,
Inspector General

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January 1, 2022

To the President and Members of the Chicago Board of Education, the Mayor of the City of Chicago, the Illinois General Assembly, Chicago Public Schools administration and employees, CPS families and residents of the City of Chicago,

Pursuant to the Illinois School Code, 105 ILCS 5/34-13.1(e), the enclosed Annual Report of the Office of Inspector General for the Chicago Board of Education includes a summary of investigations and other matters reported to the Board of Education by the Office of Inspector General in Fiscal Year 2021, the period between July 1, 2020, and June 30, 2021.

It is once again my privilege to present on behalf of our office the OIG's Annual Report summarizing the work of the OIG's General Investigations Unit, Sexual Allegations Unit and Performance Analysis Unit. Collectively, these units made significant contributions during the last fiscal year. In many instances, their work prompted the Board of Education to enact corrective measures of critical importance to the safety of CPS students and the promotion of efficiency and accountability in its operations.

Where the Board has acted in response to the OIG's findings and recommendations by the date of this report, those actions are summarized below. The report also draws focus to areas that will be of significant long-term concern, including the appropriate oversight of the expenditure of unprecedented federal aid resulting from the Covid-19 pandemic as well as recently-enacted and prospective legislation needed to protect students against sexual misconduct by adults and to foster information-sharing about sexual misconduct offenses committed by adults.

I would also like to acknowledge the Board's assistance in securing resources to increase the OIG's capacity for case intake and preliminary investigative work. The investment of resources in these areas are of critical importance to the OIG's efforts in reducing the caseload of individual investigators as well as concluding investigations more quickly.

I am honored to serve the Board as well as CPS families and students. The OIG will continue to perform independent investigations and analysis in its mission of promoting efficiency and accountability throughout CPS.

Will Fletcher, Inspector General

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SECTION 1 – Office Overview

A. Mission and Budget

The mission of the Office of Inspector General is to ensure integrity in the operations of Chicago Public Schools by conducting meaningful, accurate and thorough investigations into allegations of waste, fraud, financial mismanagement and employee misconduct. The OIG also reviews CPS systems, practices and procedures to determine their effectiveness in preventing waste, fraud and financial mismanagement.

In Fiscal Year 2021, the OIG's budget remained at \$5.97 million.

B. Training and Investigation Standards

Many employees of the OIG are members of the Association of Inspectors General, a national organization of state, local and federal inspectors general and their staffs. The AIG offers training seminars and certification institutes for members as well as networking opportunities.

Many OIG employees hold the designation of Certified Inspector General or Certified Inspector General Investigator.

Participation in the AIG also offers employees continuing training in best practices related to the performance of the Inspector General mission. Locally, the OIG collaborates with IG offices from other state and local agencies to train all staff in a variety of areas related to investigations and audits. The Sexual Allegations Unit also receives ongoing training on best practices for child development and interviews, and Title IX procedures.

The OIG conducts its investigations in accordance with the AIG's Principles and Standards for Offices of Inspector General, generally accepted principles, quality standards and best practices applicable to federal, state and local offices of inspectors general. In addition, the OIG, at all times, exercises due professional care and independent, impartial judgment in conducting its investigations and issuing its reports and recommendations.

C. Complaints Received in FY 2021

In Fiscal Year 2021, the OIG received 1,086 complaints alleging misconduct, waste, fraud and financial mismanagement at Chicago Public Schools, including allegations of misconduct by CPS employees and vendors and allegations of students residing outside the City of Chicago and attending CPS. The OIG also received complaints alleging adult-on-student sexual misconduct as set forth below.

Of the 1,086 total complaints received, the OIG opened investigations into a total of 350 cases (32.2%). Several factors restrict the number of cases the OIG can open and investigate, including (1) a continuing focus on significant and often complex issues; (2) a particularly small staff size in relation to the OIG's total oversight responsibility (in Fiscal

CPS OIG FY 2021 Annual Report

Year 2020 CPS had approximately 38,000 employees and a budget of \$5.98 billion); and (3) time consumed by post-investigation activities (e.g., preparation and testimony for hearings, trials and labor arbitrations).

As previously reported by this office, the inability to investigate more complaints creates a substantial risk that instances of fraud and employee misconduct go undetected.

The OIG received 243 anonymous complaints, 22.4 percent of the total complaints received during the reporting year. Although the OIG responds to anonymous complaints, it is far more challenging to begin an investigation without the ability to speak with the complainant.

The table below reflects the types of complaints received by the OIG in Fiscal Year 2021:

Type of Complaint Received FY 2021

Sexual Allegations (Total) ¹	209	19.24%
Sexual Act	16	1.47%
Grooming	13	1.20%
Sexual Abuse	13	1.20%
Sexual Electronic Communication	12	1.10%
Touching: Less than Sexual Abuse	12	1.10%
Outcry About Past Conduct	7	0.64%
Sexual Comments – in Person	3	0.28%
Student-on-Staff Inappropriate Conduct	3	0.28%
Failure to Report	2	0.18%
Concerning: Other	128	11.79%
Residency	140	12.89%
Conduct Unbecoming	82	7.55%
Ethics	58	5.34%

¹ These complaints were handled by the OIG's Sexual Allegations Unit and do not include matters that were referred to other investigative bodies at intake, such as student-on-student sexual misconduct complaints that were referred to CPS' Office of Student Protections

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Mismanagement	50	4.60%
Covid-19 Remote Learning Problems	38	3.50%
Violation of Board Policy	34	3.13%
Discourteous Treatment	31	2.85%
Falsification of Employment Records	20	1.84%
Off-Duty Criminal Conduct	19	1.75%
Retaliation	19	1.75%
Discrimination	18	1.66%
Inattention to Duty	15	1.38%
Tuition Fraud	14	1.29%
Fraudulent Leave of Absence	12	1.10%
Contractor Violations	10	0.92%
Corporal Punishment	10	0.92%
Covid-19 Failure to Follow Safety Measures	10	0.92%
LSC Member Misconduct	10	0.92%
Fiscal Mismanagement	9	0.83%
LSC Election Fraud	8	0.74%
Failure to follow IEP/504 Policies/Procedures	7	0.64%
Preferential Treatment	7	0.64%
On-Duty Criminal Conduct	6	0.55%
Theft of Board Property	6	0.55%
Violation of Acceptable Use Policy	6	0.55%
Falsification of School Records	5	0.46%
Falsifying Attendance Records	4	0.37%

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Grade Changing	4	0.37%
School Safety/Security	4	0.37%
Unfit for Duty	4	0.37%
Criminal Background	3	0.28%
Negligently Supervising Students	3	0.28%
Using Verbally Abusive/Aggressive Language	3	0.28%
Bullying/Inadequate Response to Bullying	2	0.18%
Misappropriation of Funds	2	0.18%
Unauthorized Use of Board Property	2	0.18%
Improper Licensure	1	0.09%
Misuse of CPS Tax Exempt Status	1	0.09%
Residing Outside the School Boundary	1	0.09%
Transporting any Student Without Written Consent from	1	0.09%
Violation of the Student Code of Conduct	1	0.09%
Other	197	18.14%
	1,086	100.00%

SECTION 2 — Pandemic Relief Related Matters

A. Pandemic Relief Funding

CPS is currently slated to receive a total of \$2.8 billion in direct emergency pandemic relief funding from three federal relief funds over the course of five fiscal years. Federal guidelines provide CPS with a significant amount of freedom in choosing how and when to spend these funds. Accordingly, the OIG has taken and will continue to take an active role in monitoring CPS' use of pandemic relief funding to ensure that these resources are used appropriately and identify any instances of fraud or waste.

FY 2021 Pandemic Relief Fund Expenditures

CPS has disclosed that it has already allocated approximately \$545 million of federal pandemic relief funds from the Elementary and Secondary School Emergency Relief (ESSER) I fund and ESSER II fund toward pandemic-related costs incurred during fiscal years 2020 and 2021. Many of these costs were incurred under authorization from the Board's March 2020 emergency spending authorization. Since mid-2020, CPS has publicly disclosed pandemic-related spending through a continuously updated [CFO Emergency Expenditure Report](#) on its website that lists spending categories, expenditures, and related purchase orders.

The OIG has reviewed many of these expenditures for potential waste, fraud, or abuse. As discussed below, the OIG completed two major initiatives regarding pandemic-related spending in FY 2021: a performance review of \$28.5 million in "good-faith" payments to bus vendors who performed no services in return following the suspension of in-school instruction in March 2020 and a review of charter schools' receipt of forgivable Paycheck Protection Program (PPP) loans.

FY 2022 and Future Pandemic Relief Fund Expenditures

CPS' FY 2022 budget, unveiled in July 2021, includes \$1.06 billion of federal pandemic relief aid from the federal ESSER II and ESSER III relief funds.

CPS has provided mostly broad descriptions of how this \$1.06 billion will be spent, including \$132 million for student re-engagement and school opening costs, \$178 million to fund school-based instructional positions, \$100 million toward improving air quality, and \$288 million to support "school-based programmatic investments." \$267 million will be used to fund the district's two-year, \$525 million Moving Forward Together plan, which includes direct "flexible funding" payments to schools.

In addition to its breakdown of FY 2022 pandemic relief aid spending, CPS also has issued a spending plan for its allotment of nearly \$1.79 billion from the ESSER III fund. CPS' plan lists several broad spending categories, such as \$438 million for "Districtwide Initiatives to Address Unfinished Learning" and \$578 million for "Programmatic Investments in Schools."

Currently, CPS is not providing real-time tracking of specific expenditures or information showing how spending will impact individual schools, although the district has publicly stated that it plans to provide further transparency regarding both expenditures and outcomes in the future.

CPS' use of this unprecedented amount of mostly unrestricted federal funding requires an extensive and coordinated level of oversight from CPS, the OIG, and other stakeholders. In response to CPS' spending plans, Board members have already requested that CPS disclose its plans to capture relevant data and ensure accountability. CPS' Office of Internal Audit and Advisory Services has also publicly stated that it intends to review ESSER funding allocations and outcomes during FY 2022. For its part, the OIG will continue to investigate evidence of potential waste and abuse in pandemic relief aid spending, as well as advocate for increased transparency and effective internal controls.

B. Performance Review: CPS Covid-19 Good-Faith Bus Vendor Payments

In the wake of a spreading Covid-19 pandemic that shuttered CPS schools in the spring of 2020, CPS issued \$28.5 million to 14 busing companies with the expectation that they would continue to pay their workers and stay “mission-ready” for the day when buses would resume carrying students to schools.

However, these three months of payments, issued in “good faith” by CPS with no services in return, had no written conditions to ensure that drivers and bus aides would be paid as CPS intended, an OIG performance review determined... CPS had no coordinated plan for communicating its intentions for the payments and it established no controls to make certain its objectives were achieved.

This occurred even though ISBE had urged school districts on the first day of statewide school closures to work with their bus vendors to ensure drivers and bus aides would be paid. The state superintendent even suggested districts could amend their busing contracts to guarantee such payments.

Instead, as one top CPS manager explained: “We assumed the businesses would do right by their people if the district did right by the companies.”

CPS's failure to set written conditions on its good-faith payments or to institute any controls unleashed a series of unintended consequences.

Without anything in writing to the contrary to guide them, 10 of 14 CPS bus vendors proceeded to lay off more than 600 bus drivers and bus aides for varying amounts of time during three months of CPS school closures that began March 17, 2020.

Meanwhile, some bus vendors took advantage of other special pandemic relief after schools closed. Nine of the 14 bus vendors obtained a total \$13 million in federal Paycheck Protection Program loans, which were forgivable if a certain percent was spent on payroll.

Thus, those nine bus vendors could have received two different sources of taxpayer funds intended to cover their payrolls.

Of those nine companies, eight laid off workers for varying lengths of time, likely entitling those workers to an extra \$600 a week in unemployment benefits under another Covid-related enhancement. If those laid-off workers received such benefits, that would mean three different sources of taxpayer funds could have been intended to cover the same bus vendor wages.

In addition, because Illinois employers were not assessed unemployment contributions for Covid-related layoffs under yet another Covid-relief measure, any unemployment benefits claimed by employees of the 10 busing companies with layoffs would presumably have placed additional strain on the Illinois Unemployment Trust Fund, currently billions in debt.

After the OIG alerted CPS to many of these issues in a special interim memo in September 2020, CPS conducted a bus vendor payroll audit and PPP reconciliation. This eventually led to bus vendor written agreements to repay CPS roughly \$3 million. Due to this important work by CPS, vendors agreed to compensate CPS for PPP payments that would have duplicated CPS good-faith payments and to reimburse CPS for failing to adequately pay drivers and bus aides during school closures

CPS Missteps

CPS's good-faith payments followed notice from ISBE in March 2020 that school districts would continue to receive transportation reimbursements during school closures so they should continue to pay bus vendors and make sure drivers and bus aides were paid as well. As one ISBE official explained to the OIG, during the early days of state-ordered closures, "Our goal was to ensure that the pandemic did not render large swathes of people unemployed."

However, a series of missteps by CPS resulted in its good-faith payments not being used as intended. For example:

- CPS never devised a coordinated plan to ensure bus vendors would share good-faith payments with their drivers and bus aides.
- CPS never set any written conditions on its good-faith payments, even though ISBE's [March 17, 2020, advice](#) to school districts mentioned the option of crafting amendments to busing contracts "to ensure transportation personnel will be paid in full." As one bus vendor described it to the OIG, CPS was issuing them "fees for no work." The nature of these payments made them so vulnerable to abuse that they warranted written conditions.
- Before CPS began issuing its first good-faith payments in mid-May 2020, it did not check whether all bus vendors had been paying their drivers and bus aides. By this time, eight bus vendors had already laid off 453 drivers and aides for varying lengths of time.

- Once CPS started issuing good-faith payments, CPS did not attempt to verify that all bus vendors were using the funds to pay their drivers and bus aides. Asked if he had ever tried to check if vendors were spending their good-faith payments as intended, one former Student Transportation official told the OIG: “Why would I? There’s no mechanism to do that.”
- CPS never clearly informed all bus vendors in writing that they would be paid, how much they would be paid (ultimately, their scheduled payments for each month, minus nine percent in fuel costs), and what they were supposed to do with those payments. Instead, different bus vendors were told different things at different times — by email or by phone — by three different CPS employees, according to vendors and other sources. This untimely, uncoordinated CPS messaging contributed to an atmosphere of “panic,” as one vendor described it.

Missed Warning Signs

The state-ordered closure of schools that began March 17, 2020, occurred with only a few days’ notice, forcing CPS to make some quick decisions. However, after the initial days of closures, CPS missed several red flags that should have alerted it that a self-correction was in order.

On March 27, 2020, the CARES Act, which included potentially forgivable PPP loans for businesses, was signed into law. The OIG’s review revealed no sign that CPS recognized that some of the same vendors who received good-faith payments also could receive PPP loans, a fact that warranted the crafting of written agreements with the bus vendors to address the potential that the vendors would receive CPS’ good-faith payments as well as forgivable PPP loans.

On April 15, 2020, one bus company warned a key CPS Student Transportation official that it had laid off all its drivers and aides “due to financial uncertainties,” according to the vendor. The Transportation official did not share this information with his superiors, and CPS did not otherwise check whether the bus companies had instituted layoffs before the first good-faith payments were issued.

On April 17, 2020, CPS announced it would hold remote-only classes for the rest of the school year. At this point, bus companies knew their drivers and aides could be laid off because they would no longer need to be “mission ready.” In fact, two CPS bus vendors started layoffs at this point. Following the announcement that schools would remain closed, however, CPS did not confirm whether bus vendors were still paying their employees as intended and whether written amendments about good-faith payments were needed.

In an interim memo issued in September 2020, the OIG alerted CPS that it had determined CPS was issuing good-faith payments to 14 bus vendors without any written conditions, controls or verification system, and that some of these vendors had received PPP loans. The

OIG’s memo outlined a series of recommendations, including that CPS set written conditions on any future SY 2020-21 good-faith payments to ensure drivers and bus aides were paid.

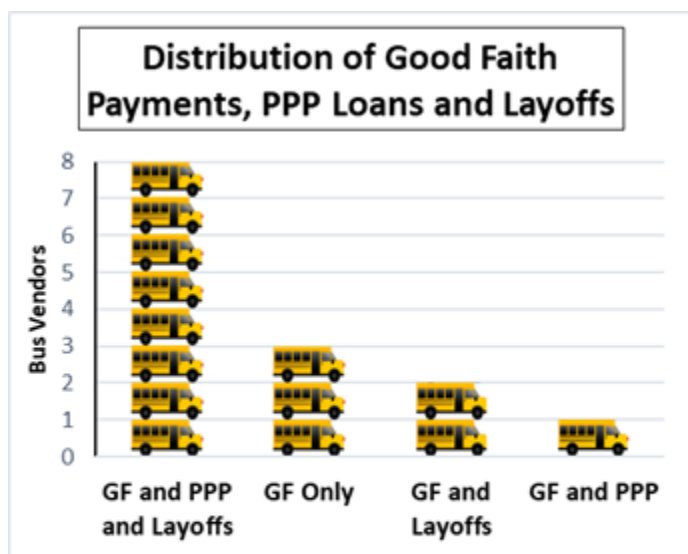
Potential Triple Dip into Government Funds

The OIG then proceeded to survey bus vendors about layoffs and to conduct a payroll audit to try to establish how much each company’s CPS driver and bus aide payroll had shrunk in the three months post-closure, when vendors were supposed to be paying their CPS employees with their good-faith payments. This analysis found that all 14 bus vendors expended less payroll post-closure, with the average vendor spending post-closure only 61.9 percent of what it had spent pre-closure on CPS driver and aide payroll.

In the most extreme example, one vendor that received CPS good-faith payments, obtained federal PPP funds and laid off all its drivers and bus aides by the end of the first week of closures and spent only 0.5 percent of its normal payroll post-closure.

The OIG estimated that, based on driver and bus aide payroll alone, the 14 bus vendors spent nearly \$3.9 million less post-closure than pre-closure. However, after OIG and CPS inquiries, two vendors issued a total \$710,000 in back pay, reducing the total post-closure payroll savings to close to \$3.2 million.

Based on its post-interim memo work, the OIG found that 10 of the 14 vendors had laid off workers for anywhere from a week or nine school days to the entire three-month closure period. The OIG cannot say for sure which of these laid-off workers went on unemployment as the Illinois Department of Employment Security² does not share that information.



Source: OIG Analysis of CPS Data, Small Business Administration Data re Paycheck Protection Program and Information Provided by 14 Bus Vendors.

However, the adjacent **Chart** indicates how many potential sources of government funds could have gone toward the wages of each of the 14 bus vendors.

For spring 2020, these 14 vendors split \$28.5 million in CPS good-faith payments, received a total of \$13 million in federal PPP funds and laid off a total 606 drivers and bus aides for varying amounts of time – creating the possibility those workers received Illinois unemployment benefits.

A few vendors said that once their employees started receiving

² The OIG referred certain information uncovered during its review to IDES.

unemployment checks that included an extra \$600 a week in Covid-19 relief, it was difficult to get them back to work. One bus company executive said a “good chunk” of his employees “were getting paid more than if they were paid by us” and therefore did not want to rejoin his payroll. However, generally, employees who refuse to return to work should be reported to the Illinois Department of Employment Security, according to an IDES official.

CPS Response

Following the OIG’s September 2020 interim memo, CPS also conducted bus vendor payroll audits to determine worker underpayments as well as bus vendor PPP reconciliations to identify how much of each bus vendor’s PPP loans were attributable to each company’s CPS business.

This work enabled CPS to secure written agreements that the 14 bus vendors repay CPS roughly \$3 million – \$2.2 million of it due to PPP reconciliation and roughly \$870,000 due to lower-than-expected spring 2020 payroll³. This CPS effort helped mitigate, as best as CPS could determine, any overlapping government funding intended to cover bus vendor wages.

In addition, in response to an OIG recommendation, CPS required bus vendors to sign contract amendments for the SY 2020-21 service period stretching from September 8, 2020, to February 26, 2021, when limited transportation services were needed. These amendments established a “base payment” (40 percent of projected payments) that vendors would receive each month – in addition to payments for work actually performed – if their services did not exceed a certain minimum activity level (no vendor exceeded the minimum). These contract amendments also required vendors to continue to pay and retain enough employees to provide prompt service during the amendment period.

More recently, in response to a recommendation in the OIG’s June 2021 final report, the CPS Office of Internal Audit and Advisory Services conducted a district-wide good-faith payment review to identify whether any other good-faith payments of at least \$25,000 per vendor had been issued to non-Transportation vendors between March 2020 and March 2021. About 111,000 vendor invoices totaling \$2.38 billion were identified for review.

Because CPS had never flagged all of its good-faith payments, CPS department leaders were asked to assess whether the \$2.38 billion in invoices involved good-faith payments without any services in return. Based on responses for invoices representing 97 percent of the \$2.38 billion total, CPS found that 37 vendors had received an additional \$10.9 million in good-faith payments – beyond those payments provided to the 14 bus vendors.

Of these newly-identified good-faith payments, nearly \$5.17 million went to one vendor alone. Every other newly-identified vendor received less than \$1 million in good-faith payments.

³ To date, CPS has recouped just over \$2 million and has about \$1 million more to collect. In addition, CPS is seeking to charge one vendor an additional roughly \$43,000.

Finally, in response to another OIG recommendation, CPS thus far has listed \$64.9 million in total good-faith payments in its public [CFO Emergency Expenditure Report](#). Of that amount, \$53.8 million went to bus vendors for both spring 2020 (the period covered in the OIG's reports) and SY 2020-21, when new written agreements were in effect.

C. CPS Charter Schools Received More Than \$43 million in Forgivable Paycheck Protection Program Loans on Top of Uninterrupted Payments from CPS During the Pandemic (20-01055)

In July of 2020, the OIG was asked by CPS to investigate reports that a number of CPS charter schools had received forgivable loans through the federal government's Paycheck Protection Program (PPP). CPS was particularly concerned that charter schools were participating in a program that was established to help struggling businesses and nonprofit organizations retain workers during the pandemic even though CPS had committed to fully funding its charter schools for the 2020-21 school year.

The OIG found that, to date, 38 CPS charter schools and related entities applied for and received \$59,256,852 in PPP loans, of which approximately \$43,478,496 related to CPS charter school operations. Five of these entities repaid a total of \$7,373,640 of PPP loan proceeds. Small Business Administration records published since the conclusion of the OIG's investigation show that nearly all of the entities that kept their PPP loan proceeds had their loans forgiven, while a small number of loans remain outstanding.

The OIG reviewed these CPS charter schools' compliance with PPP regulations and found that they likely met the eligibility requirements to participate in the PPP program and, with the exception of one charter school network, followed the program's rules in applying for loans and spending the loan proceeds.

In particular, the OIG found that each charter school that received a PPP loan likely met the PPP's requirement that all applicants certify that they faced "economic uncertainty" at the time of their application. Most of the charter schools that applied for PPP loans did so before CPS announced that it would fully fund its charter schools for the 2020-21 school year. Regardless, all charter schools that applied for PPP loans did so early in the pandemic at a time when they faced a range of possible revenue losses and increased costs which could have impacted their ability to maintain regular operations.

However, even though the charter schools were eligible to participate in the PPP, a review of internal financial records showed that the charter schools that received PPP loans did not experience the revenue losses or increased expenses that they feared at the time they submitted their PPP applications.

Instead, most, if not all, of the charter schools that received PPP loans did not actually need the PPP loans in order to maintain their operations uninterrupted and retain their full workforce. Rather, the PPP loans allowed these schools to either increase their cash

reserves or use the capital freed up by the PPP loans to pay for other expenses unrelated to Covid-19.

For example, at least eight charter schools that received PPP loans reported an increase in cash reserves of over \$1 million each between the end of the last school year prior to the onset of the pandemic and the end of the 2020 calendar year. Over the same period, five charter schools that received PPP loans reported holding more than double the amount of cash on hand that CPS considers to be “exceeding” its recommended level of cash reserves for charter schools.

Several charter school administrators acknowledged to the OIG that the pandemic did not adversely affect the overall financial condition of their schools. During the course of the OIG’s review, three charter schools decided to repay all or a portion of their PPP loans. Prior to the review, one school repaid its entire PPP loan and another school repaid a part of its loan.

During the 2020-21 school year, CPS did not take external pandemic relief funding, such as PPP loans, into account when distributing pandemic-related aid to schools. As a result, the 38 charter schools that received PPP loans received additional pandemic relief funding beyond the relief funding received by district-run schools and charter schools that did not participate in the PPP.

The OIG recommended that CPS take steps to ensure that future Covid-19 relief funding is apportioned fairly between charter schools and district-run schools, considering all Covid-19 relief funds received by schools to date, including forgiven PPP loans.

CPS has told the OIG that it is unable to implement the OIG’s recommendation to equalize future pandemic relief funding. According to CPS, it is required to distribute future pandemic relief funding according to its state-approved funding formula which does not differentiate between district and charter schools or consider outside pandemic relief funding such as PPP loans.

D. Security Officers Cut Their Work Hours to Be Eligible for Enhanced Public Benefits During Covid-19 (20-01107)

An OIG investigation found that a group of security officers intentionally changed their work schedules and manipulated CPS timekeeping records so that their hours worked per week would allow them to qualify for enhanced Covid-19 public benefits.

The OIG initiated this investigation after it was informed that a school was left without security for a day during the summer of 2020 as a result of an apparent unauthorized schedule change. At the time of this incident, the school was operating as a lunch distribution point.

The investigation found that after CPS reduced the hours of some security officers due to Covid-19, some officers sought further unauthorized reductions in their schedules. A number of them changed or disregarded their assigned schedules and/or manipulated CPS timekeeping records to reduce their total number of hours worked.

These unauthorized changes began shortly after certain security officers received notices from their union regarding expanded eligibility for unemployment benefits due to Covid-related changes in the law.

Some security officers later told OIG investigators that they believed that if their hours fell a certain amount they would be eligible for the enhanced benefits. Some said they felt it was appropriate for them to change their schedules and apply for the public benefits.

Further, some of the security officers stated that their manager knew of and approved of their actions. Additional investigation found that the security team manager permitted some of the security officers' schedule changes despite clear instructions from his supervisor that no such changes would be allowed.

Records reviewed by the OIG showed that 22 security officers applied for and received some amount of state unemployment benefits between the start of the pandemic and the beginning of the 2020-21 school year. Outside of the one incident in July 2020 that prompted this investigation, the OIG did not find evidence that the unauthorized schedule changes resulted in any other schools being left without security.

The OIG recommended appropriate discipline for the security team manager who permitted the schedule changes despite being instructed not to do so. The OIG also recommended warnings and/or appropriate discipline for the officers that either changed their schedules or manipulated CPS timekeeping records. Finally, the OIG recommended that the Board refer the investigation's findings to the Illinois Department of Employment Security and request that the Department determine whether the security officers complied with state laws in applying for and receiving public benefits.

In response to the Board's report, the Board terminated the security team manager's employment and placed a Do Not Hire designation in his personnel file. The Board also advised that the Office of Safety and Security is reviewing the actions of the 22 security officers who applied for and received state unemployment benefits in order to determine whether disciplinary action is warranted.

SECTION 3 – Notable General Investigations

A. “Dean” Organizes Secret Basketball Event that Violates Covid-19 Restrictions; College Basketball Recruit Collapses on Court (20-01094)

In July 2020, a student special services advocate and unofficial “dean” (“Employee A”) secretly opened his school’s CPS gym to host a men’s basketball recruiting event for a suburban community college (“Community College”) where he also worked as a paid assistant coach. The event happened in the midst of the Covid-19 pandemic’s first year, when City of Chicago public health orders limited indoor gatherings to 10 or fewer people and CPS’ pandemic response barred rental or any permitted use of its indoor facilities.

Tragically, during the event one of the basketball players (“Player 1”) collapsed and later died the same day. During its investigation, the OIG was unable to obtain Player 1’s health records and thus could not determine what caused his death. The OIG did, however, obtain other evidence that plainly demonstrated the severity of Employee A’s and other subjects’ misconduct in this matter.

On the day of the event, which security cameras showed started around 11:00 a.m., the midday air temperature in Chicago hovered between 88 and 90 degrees, and the school’s gym was not air conditioned. Moreover, the school was undergoing indoor construction which included asbestos abatement. Despite the high heat, construction, and Covid-19-related health restrictions, security cameras showed that Employee A allowed at least 15 people into his school for the recruiting event, including Community College’s men’s head basketball coach (“Coach”), a CPS assistant principal (“Employee B”), a CPS special education classroom assistant (“Employee C”), a former CPS volunteer (“Volunteer”), and several basketball players (none of whom were current CPS students). Witnesses reported that the event itself included full 5-on-5 basketball, making social distancing impossible.

Beyond Employee A’s disregard for City and CPS Covid-19 restrictions, he also failed to obtain a CPS Temporary Usage Permit for his school’s gym. In normal times, these permits allow third parties to rent CPS facilities while shielding CPS against risks resulting from the rental. The permits contain important indemnification, waiver, and insurance requirement language and are designed to protect CPS against precisely the type of incident that occurred at Employee A’s school.

To be clear, the gym at Employee A’s school was off limits for *any* use in July 2020. Nevertheless, by failing to seek out a usage permit, Employee A kept his use of the gym secret from his principal and CPS while potentially exposing CPS to liability.

During its investigation, the OIG found that Community College’s gym was being used for other purposes in July 2020. Employee A, however, was able to access his own CPS school’s gym because he was part of the school’s emergency response team and was authorized to disarm the security system and open the building. Employee A thus capitalized on his special access to his school to aid Community College, his secondary employer.

The OIG also found that Employee A and the other subjects of this investigation repeatedly attempted to conceal the true nature of the July 2020 recruiting event.

After Player 1 collapsed, Employee A waited three hours to notify his school's principal. When he finally called her, Employee A merely told the principal that he opened the school's gym for Player 1 because he was training for an unspecified "opportunity." Employee A failed to disclose that Community College and other recruits were also participating in the event or that he and other adults in attendance had personal and professional connections with Community College.

Similarly, Employee A and the other subjects repeatedly mischaracterized the recruiting event as an informal gathering of Chicago prep basketball enthusiasts who just wanted to watch a pickup game.

In his interview with the OIG, for example, Coach denied that he was at the event in his official capacity. During its investigation the OIG obtained copies of letters of intent for Community College signed by two players at the July 2020 event. Significantly, the letters were signed by Community College's athletic director two days before the July 2020 event and by the players on the day of the event, strongly suggesting that the letters were in fact prepared expressly for the July 2020 recruiting event.

In addition to Employee A's existing paid coaching position, two of the adult attendees—Employee B and Volunteer—became assistant coaches at Community College shortly after the recruiting event at which the player collapsed. During his OIG interview, Coach confirmed that both joined his coaching staff for the 2020-21 basketball season, but said it hadn't yet been decided whether Employee B would be paid.

The investigation also established that Employee A hosted at least one other basketball event at his CPS school prior to the July 2020 event, which may have also been a Community College recruiting event. During their interviews, Employee B, Volunteer, and Coach all recalled attending such an event, and alarm log records showed that Employee A accessed his school on several occasions after schools were closed because of Covid-19, including on nights and weekends. On two of these dates, security camera footage showed several teens/young adults in athletic attire in the school. And once again, the OIG obtained a Community College letter of intent signed by a player shortly after one of the dates captured on the cameras.

Finally, Employee A failed to cooperate with the investigation, which is a stand-alone basis for termination of his employment, by failing to sit for an interview despite numerous requests before ultimately retiring in September 2020.

This investigation also raised a recurring issue observed in OIG investigations: many schools have employees who are unofficially designated "dean" or "dean of students" and given important school safety and student safety job duties. In fact, there is no actual "dean" job title in CPS, but rather six different job titles which may involve "dean duties."

These titles, which include “School Social Service Assistant,” “Youth Intervention Specialist,” “School Culture Coordinator,” and others, vary considerably in terms of education and experience requirements, core job duties, supervision, and pay. Their formal job duties may or may not overlap with the work employees might perform as a “dean.”

In this case, the OIG found that Employee A was referred to as a “dean” even though his title was actually Student Special Services Advocate. According to its job description, a Student Special Services Advocate “serves as an advocate for at-risk young adults and school-aged parents in connection with social, educational, and job training services” and performs duties largely related to counseling at-risk students and connecting them to social service agencies, community organizations, and employers. Nevertheless, Employee A was made part of his school’s emergency response team and entrusted with the school’s alarm system security code – authority which he ultimately abused by secretly accessing his school to hold tryouts for Community College.

The OIG recommended that Employee A receive a Do Not Hire designation, and would have recommended his termination had he not already resigned. In response, a Do Not Hire designation was placed in Employee A’s personnel file.

The OIG recommended termination for Employee B and appropriate discipline for Employee C. The Board initiated dismissal proceedings against Employee B, who subsequently resigned during the pendency of those proceedings and received a Do Not Hire designation. Employee C resigned before discipline was issued to him. Employee C’s personnel file has been flagged for discipline should he return to CPS.

The OIG recommended that CPS permanently prohibit Volunteer from serving again as a CPS volunteer. In response, Volunteer was placed on an internal Do Not Hire list. Similarly, Coach was also placed on an internal Do Not Hire list.

Finally, the OIG recommended that CPS block Coach, Employees A and B, and Volunteer from all CPS schools or from attending any events or games at CPS facilities. In response, all of these individuals were issued letters banning them from the CPS school at issue in this investigation as well as Employee B’s and Employee C’s CPS schools.

B. Assistant Principal Steals Over \$195,000 from Mismanaged Elementary School (19-02527)

An elementary school assistant principal stole \$195,000 in school funds over the course of two years by first diverting \$175,000 of afterschool program fees into her personal bank account and then by fraudulently issuing checks for more than \$20,000 to herself and her family. The investigation also found that other school administrators mismanaged an additional \$125,000 that had been collected from parents for afterschool programming and left idle for several years.

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The OIG discovered the assistant principal's theft after the State of Illinois flagged a PayPal account that had been sitting dormant. The OIG determined that the account was one of several electronic payment accounts created by the assistant principal in the name of the elementary school to collect fees for its afterschool program. Between 2011 and 2019, parents and guardians made more than \$1 million in total payments directly into the accounts that were created and controlled by the assistant principal.

A review of transaction records for these accounts showed that \$175,000 of the funds received by the accounts had been transferred into a separate bank account listed as belonging to the "Board of Education City of Chicago." The OIG found that this "Board of Education" account did not belong to the Board, but was actually a personal bank account registered to the assistant principal.

The assistant principal was able to carry out this scheme without detection for over two years due to severe financial mismanagement and inattention by the school's other administrators. The investigation showed that the school did not follow basic internal controls procedures in that they gave the assistant principal near-total control over the school's receipt and processing of electronic payments and failed to maintain adequate records of receipts and expenditures. One of the reasons that the assistant principal had so much autonomy was that the other administration members did not understand how the electronic accounts worked.

The OIG also found that administrators were generally inattentive to the school's finances, which resulted in a further \$125,000 in afterschool program fees that were not properly accounted for and left unused for several years.

During the investigation, school officials reviewed other cash disbursements and identified several school checks issued to the assistant principal's family members that appeared to be fraudulent. The OIG's subsequent review of the school's checking records found that the assistant principal wrote 12 checks to herself and her family totaling \$21,100 through forgery and other fraudulent means.

The OIG has referred this matter to law enforcement. The OIG recommended that the Board commission an independent audit of the school in order to determine whether any other school funds were stolen or misused and to establish necessary improvements in school internal controls. The Board advised that CPS' Office of Internal Audit and Advisory Services has engaged a third party to conduct the audit.

The assistant principal resigned from CPS during the course of this investigation and a Do Not Hire designation has been placed in her personnel file. The OIG also recommended that the Board consider appropriate discipline and/or training for the school administrators that failed to exercise sufficient oversight over the school's finances.

The Board advised that the principal retired before facing disciplinary proceedings and that other administrators will receive training.

C. Chicago Four-Year University Made Payments to a High School Teacher to Recruit CPS Students; Teacher Paid CPS Employees to Promote University, Illegally Disclosed Confidential Student Information (20-01255)

From fall 2018 to early 2020, a Chicago four-year university (“University”) paid a CPS high school teacher (“Employee A”) more than \$56,000 to act as its embedded recruiter within CPS. Employee A told the OIG that University paid her in part by the number of “busloads” of students she brought on recruiting visits. Employee A never disclosed to CPS that she was acting on the University’s behalf at all, much less that she was doing it on CPS time and misusing student information in the process.

During this time, Employee A solicited school counselors and college and career coaches at other CPS high schools on behalf of University, coordinated campus tours, and informally promoted University to her colleagues. Employee A performed much of this work during the CPS school day using her district email address and computer. Additionally, on at least one occasion, Employee A disclosed confidential CPS student information to University without obtaining appropriate parent or student written consent.

As Employee A promoted University to CPS staff and students, she also extended University’s corrupt influence to other CPS employees. Bank records and OIG interviews revealed that Employee A paid at least two CPS college and career coaches (“Employee B” and “Employee C”) in exchange for coordinating University campus tours for their schools. Employee A also offered other CPS staff free lunches and spoke of “incentives” as part of her sales pitch for University, and emails show that a college and career coach at Employee A’s high school (“Employee D”) worked with her to plan field trips to University.

A college paying CPS employees to recruit CPS students would be troubling under any circumstances, but the OIG found University’s covert recruitment campaign particularly alarming given its extremely poor student outcomes. According to recent figures, University’s six-year graduation rate is just 11%, compared to 67.9% nationally for other private, non-profit schools. Two years after entering student loan repayment, 71% of University students are in forbearance, default, or owe more than their original loan balance.

During her interview with the OIG, Employee A admitted to working for University and performing recruitment tasks, often on CPS time. Employee A also admitted she was paid for this work – specifically, based on how many “busloads” of students she brought to University tours – and her bank records showed payments from University between 2018 and 2020.

According to a former University admissions employee, the tours Employee A helped coordinate were a means to have the students bring their transcripts and financial aid applications to University for on-site enrollment.

Evidence obtained by the OIG illustrated Employee A’s recruitment efforts. In one communication, Employee A appears to provide University’s Director of Admissions with language and an informational flyer to use in a solicitation email to Employee A’s own

assistant principal. Employee A also solicited staff at other schools about “an opportunity” for their seniors at University. Even when she wasn’t soliciting, Employee A engaged in a sort of “soft promotion” by sending colleagues glowing reviews of University and encouraging them to tell students about campus tours.

The OIG also interviewed CPS school counselors and college and career coaches who described Employee A’s solicitations. Many stated that when Employee A first contacted them they thought she worked for University, not CPS. One likened her communications to a “cold call” and said she identified herself as working for University.

Employee A was apparently central to University’s recruitment efforts. The former admissions employee told the OIG that there were primarily two people at University responsible for recruitment – the Director of Admissions and Employee A.

Additionally, when Employee A came to the school, University crafted a “Strategic Plan” to target CPS students which called for Employee A to send University a “roster of all the senior students with their SAT score and GPA,” have her students complete University’s “paper work” during class time, and distribute a University flyer during report card pickup. Immediately after the plan was formulated, emails show that Employee A sent the former admissions counselor two spreadsheets containing SAT and GPA data for over 300 CPS students. The OIG found no evidence that Employee A obtained parent or student permission to release these data to University.

Later communications also show that University crafted a “scholarship program” (“Scholarship”) for underserved CPS students that Employee A helped brand and market. Advertising the Scholarship became a core part of Employee A’s recruitment efforts. Employee A admitted to distributing Scholarship flyers to CPS employees. The former admissions employee told the OIG that while not every University student received the Scholarship, *all* of the students Employee A brought to University did, suggesting that the Scholarship may have been tailored for Employee A’s recruitment activities.

The OIG next found that Employee A paid Employees B and C money in exchange for coordinating campus visits. Employee A’s bank records show three payments to Employee B totaling \$900, which appear to correspond to the three University campus visits Employee B admitted to leading. Employee B further admitted to receiving money from Employee A and explained that she understood the payments to be a “stipend” or “incentive” in exchange for bringing students to University. Like Employee A, Employee B said that the amount of money she received was tied to how many students she was able to bring to University.

Employee A’s bank records also show a \$100 payment labeled “For Stipend” to Employee C in 2019. During her OIG interview, Employee C denied receiving money from Employee A, but admitted that her school organized a trip to University in 2019.

Although the OIG only obtained firm evidence of payments between Employee A and Employees B and C, it is likely that Employee A paid other CPS employees. During her

interview, Employee A stated that she sometimes also paid CPS employees with envelopes containing a check, cash, or some other form of payment—transactions that may not be clearly reflected in bank records.

The OIG also found that Employee A and Employee C made false statements during their OIG interviews. Employee A stated that she did not know if schools had to submit transcripts to University prior to field trips and that she was not aware of counselors receiving stipends for their participation. Employee C stated that she didn't receive any compensation for students to attend University or from Employee A. Emails and Employee A's bank records clearly contradicted these assertions.

Finally, the OIG found that Employee D aided Employee A in recruiting students at their school for University by producing student records and helping coordinate campus tours. Evidence obtained by the OIG shows Employee A's and D's collaboration on recruitment, which appears to have resulted in Employee D receiving an invite to a "thank you" lunch along with Employee A and University staff. The OIG attempted to interview Employee D, who left CPS in 2019, about University, but he terminated his interview before fully explaining his conduct.

Ultimately, Employee A's central role in University's recruitment efforts appears to have had a significant impact on its enrollment and scholarship awards for CPS students. According to data the OIG obtained from University, in the fall of 2019 (Employee A's highest-paid year with University), 26% or more of listed active students and 45% or more of listed withdrawn students at University came from Employee A's high school or other CPS schools Employee A is known to have solicited. Significantly, more than 97% of students at these CPS schools are African American, suggesting that Employee A's recruitment activities and the "scholarship" she helped market may have explicitly targeted CPS' African American students.

Additionally, information dating to June 2020 obtained by the OIG showed that Employee B's school's 2020 graduating class received 27 scholarships from University totaling \$711,500, or 58% of the school's reported scholarship money.

While the scholarship awards sound like good news for CPS graduates, it's actually a cause for concern given University's track record of awarding scholarships with strings attached. A 2016 news article about University cited interviews with students and the school's chancellor that revealed University's practice of requiring students to repay "scholarship" awards unless they earn an associate degree. Language tucked into the fine print of University's current financial aid materials and anecdotal reports from the former admissions employee during the investigation suggest that this may still be the practice.

The OIG recommended that Employees A, B, and C all be discharged and receive Do Not Hire designations. Employee A resigned after the OIG's recommendation and the Board placed a Do Not Hire designation in her personnel file. The Board initiated dismissal proceedings against Employees B and C, which are currently pending.

The OIG also recommended a Do Not Hire designation for Employee D, and would have recommended appropriate discipline up to and including discharge had he not left CPS in 2019. In response, the Board flagged Employee D's personnel file for discipline should he return to CPS.

The OIG also recommended that the Board take all reasonable measures to safeguard CPS students against University's unscrupulous recruitment practices by, for example, barring University from participating in all postsecondary events on Board property pending a review of scholarship terms and CPS graduate outcomes at University. The OIG also recommended that CPS alert its postsecondary advisors about University's track record with enrolling and educating CPS graduates. CPS has not yet issued its response to these recommendations.

Finally, the OIG recommended that the Board affirmatively bar CPS personnel from engaging in any secondary employment involving student recruitment for postsecondary institutions. Such work poses an inherent conflict of interest for CPS staff tasked with guiding students towards their best possible academic career.

Following the completion of this investigation, Illinois amended the School Code in August 2021 to bar school guidance counselors from intentionally soliciting or accepting most gifts from an agent or employee of an "institution of higher education." See Pub. Act 102-0327 (amending 105 ILCS 5/22-90). The new ban is effective January 1, 2022, and further underscores the need to regulate relationships between school counselors and postsecondary institutions. Accordingly, the OIG strongly recommends that CPS amend its ethics policies in accordance with Pub. Act 102-0327 and further consider expanding the law's ban to cover all CPS personnel.

SECTION 4 – Other General Investigations Matters

Fraudulent Billing by Charter School Contractor (18-01327)

Following a number of reports of financial irregularities at a charter school, an investigation found that a school employee who was later hired by the school as an independent contractor submitted fraudulent invoices to the school and was paid \$39,000 over the course of six months for work that he mostly did not perform.

The OIG opened this investigation after receiving a tip that the school was paying outside contractors without verifying that the contracted services had been performed. The OIG began reviewing invoices and found that a contractor had invoiced the school for services that were never performed, including security and student mentoring. In addition, during the period in which the employee/contractor was being paid by the school—first as the school's fourth highest paid employee at an annual salary of \$90,000, and later according to an \$80,000 per year contract—he was also a full-time salaried employee of a local non-profit organization.

The OIG found that the employee/contractor was able to defraud the school due to a lack of effective internal controls over the payment of outside vendors. The school had no formal procedures in place for verifying invoices prior to payment and instead allowed the administrator who was responsible for the contractor's hiring to oversee his invoicing and payment.

During the investigation, the OIG found that this same administrator who was responsible for approving the employee/contractor's invoices had interfered with another administrator's efforts to pause payments while the employee/contractor's work was vetted.

The OIG recommended that CPS debar both the employee/contractor and the administrator who failed to exercise appropriate oversight over the employee/contractor's invoicing. In response, the Board advised that it has initiated debarment proceedings against the employee/contractor and the administrator.

In addition to the fraudulent billing and the school's lack of effective internal controls over invoicing, the OIG investigated several other allegations of financial mismanagement by school administrators, mostly relating to its transition between school management companies. The OIG reported these allegations and evidence of the school's financial mismanagement to CPS so that it could be considered as prior to the Board's vote on whether to renew the school's charter.

Timekeeping Fraud by Lunchroom Managers (18-01583)

Two lunchroom managers engaged in a scheme in which one lunchroom manager would frequently swipe in for the other lunchroom manager. The investigation showed that one of the employees fraudulently swiped in the other at least 91 times in one year.

The OIG recommended appropriate discipline for each lunchroom manager. The Board advised the OIG that it had terminated each lunchroom manager's employment and placed a Do Not Hire designation in their respective personnel files.

Skokie Residents Enrolled Three Children in Selective Enrollment Schools (19-00775)

A family living in Skokie violated the CPS student residency policy by enrolling three of their children in CPS schools by falsely claiming to live at a Chicago address. Property, tax and other records acquired by the OIG established that the family owned and lived in their Skokie home while their children attended CPS schools. The family's suburban residency was also confirmed by the fact that the parents enrolled a fourth child at a suburban public school near their Skokie home.

The family's violation of the student residency policy was especially egregious because the parents fraudulently enrolled their three children in selective enrollment elementary and high schools. By lying about their residency, the family took highly sought-after seats at

these schools away from Chicago residents that should have had the opportunity to attend, and benefit from, selective enrollment schools.

The OIG recommended that the two currently-enrolled children be disenrolled from CPS schools and permanently banned from attending any CPS selective-enrollment schools in the future. The OIG also recommended that, if financially practicable, CPS pursue the non-resident tuition owed by the family for the years the children improperly attended CPS schools.

After a hearing, the Board adopted a finding that the parents owed \$105,186.49 in non-resident tuition and that the two children currently enrolled in selective enrollment schools would be disenrolled from their current schools and permanently banned from attending a selective enrollment school. The Board advised the OIG that it is currently pursuing tuition reimbursement from the family and that both students will be disenrolled by the end of the current school year and then banned from selective enrollment schools. The family is currently contesting the Board's decision in court.

CPS Administrator Submitted False Enrollment Numbers in Support Of Grant Application (19-02095)

An OIG investigation found that over the course of several years, a CPS program administrator knowingly submitted federal grant applications that misstated the number of eligible students participating in a grant-funded CPS program. As a result, CPS received more federal funding for the program than it would have received if the administrator had complied with the grant regulations and submitted accurate numbers.

Funding for the program in question comes entirely from a federal Department of Education grant, and the amount of the grant is based on the number of eligible students in the district who have provided the district with documentation proving their eligibility for the program. When interviewed by the OIG, the administrator admitted that she had submitted grant applications which far overstated the number of students for whom CPS had eligibility documents on file.

The administrator told the OIG it was difficult to get students or their families to complete the eligibility forms, and as a result, she had decided to use what she viewed as an "estimate" of the number of eligible students based on data collected by CPS. The investigation also revealed that the program's historical records of eligibility forms were disordered and incomplete to an alarming extent.

The OIG also interviewed the administrator's supervisor, who oversaw the program during most of the period in which the inaccurate grant applications were submitted. The supervisor acknowledged that the administrator had informed him that inaccurate numbers were being used on the grant applications. The supervisor told the OIG that after learning about these misstatements, he had instructed the administrator to use the correct numbers in the future. However, the OIG found no evidence that anyone in the administrator's

department had taken action to ensure that accurate numbers were submitted to the federal government.

The OIG recommended appropriate discipline for the administrator and her supervisor. Both employees were forthcoming with the OIG during the investigation. Further, it appears from CPS student data that the employees were not overstating the number of students who could have potentially qualified for the program if they had submitted the required eligibility forms.

The OIG also recommended that the Board submit corrected grant applications to the U.S. Department of Education for each year in which CPS provided inaccurate student eligibility counts and take immediate action to ensure that the program complies with all applicable grant regulations moving forward. The Board advised the OIG that it has issued a memorandum of understanding to both employees.

Teacher Falsified Her Time Records (19-02130)

A teacher falsified her time records by swiping in to CPS' timekeeping system after arriving at her school in the morning and immediately leaving the school to park her car or handle other matters before returning to the school. The OIG initiated its investigation after school administrators found that the teacher was not present with her class during an early morning fire drill even though timekeeping records showed that she had already swiped in as present at the time of the fire drill.

During her interview with OIG investigators, the teacher admitted to regularly leaving the school after swiping in.

The OIG recommended appropriate discipline for the teacher. The Board advised the OIG that it had issued the teacher a Level Three Performance Improvement Plan.

Special Education Teacher Lived in Joliet and Lied About Her Residency to CPS (19-02161)

An investigation found that a special education teacher violated the residency policy by living in Joliet from approximately 2017 to the present and lying about it to CPS.

When the teacher first started with CPS, she worked as a school counselor and was granted a special needs waiver allowing her to continue living in a house she owned in Joliet. Eventually, the teacher took an assistant principal position at a north side elementary school—at that time not a waiver-eligible position—and moved into a Chicago apartment. Soon after, she purchased a two-bedroom condominium in the city. At this point, the teacher's residency waivers from the beginning of her career had expired and she was no longer waiver-eligible.

Two things happened next: the teacher became engaged in a dispute with her condominium association over unpaid homeowner assessments, and she took a citywide position that staffed her at schools on the south and west sides of the city.

The teacher admitted to the OIG that at this point in 2017 she moved back out to her house in Joliet. After her move back, she stayed overnight at the Chicago condo only one more time and attempted to rent or sell it. She also admitted to lying about her residency on an official CPS form. Beyond these admissions, the OIG also observed the teacher and cars registered to her during repeated surveillances of the Joliet house.

The OIG recommended that the Board terminate the teacher and place a Do Not Hire designation in her personnel file. In response, the Board initiated dismissal proceedings against the teacher, which are currently pending.

Unapproved Secondary Employment (20-00768)

A school counselor was working an unapproved second full-time job in addition to his CPS employment in violation of the CPS Code of Ethics. Although the counselor was present at his CPS jobsite during required hours and his supervisors stated that he performed his CPS job duties, the OIG found that the counselor's unapproved secondary employment substantially interfered with his CPS employment as it required him to perform work while on the clock and present at his CPS jobsite.

The OIG recommended appropriate discipline for the counselor. The Board advised the OIG that it issued the employee a Level Three Performance-Improvement Plan.

Elementary School Principal Falsified Information and Forged Signatures on CPS Documents (20-00832 and 20-01574)

Two investigations revealed that an elementary school principal forged her husband's name and reported false information on Family Income Information Forms for her two children and also forged a subordinate teacher's name on Local School Council candidate documents at her school.

In its first investigation, the OIG obtained 2018-19 and 2019-20 Family Income Information Forms for the principal's two school-aged children. The forms, which appeared to be completed by the principal's husband, failed to list the principal as a household member. Despite the principal's six-figure salary, the forms reported a total annual household income of just \$24,000 in 2018-19 and \$0 in 2019-20.

When the OIG showed the principal these forms, she first attempted to lie, stating that they looked familiar and accurate and that her husband filled them out. The OIG then confronted her with other documents in her handwriting, prompting her to admit that she in fact filled out the forms and forged her husband's signature. The principal attempted to justify omitting herself and her income by claiming that she only lived part-time with her children due to marital issues. Numerous documents obtained by the OIG, however, firmly tied the principal to the same residential property as her children and husband.

The OIG's second investigation found that the principal forged a subordinate teacher's name on a Local School Council candidate form. In this case, the principal admitted to the OIG that when she was unable to locate the candidate's forms during a CPS Law Department post-election investigation, she forged a new set of forms for the candidate rather than simply ask him to fill out replacements. Although the OIG did not obtain evidence suggesting that the forgery of these forms occurred before the election or had any impact on it, the principal's attempt to cover up her school's administrative disorganization demonstrated her lack of credibility and poor judgment.

The OIG recommended appropriate discipline for the principal up to and including termination. The principal subsequently resigned and a Do Not Hire designation was placed in her personnel file.

Teacher Embezzled \$3,000 School Donation Meant to Fund a Field Trip and Violated the Student Travel Policy (20-01174)

An elementary school teacher embezzled a local bank's \$3,000 donation to her school and made several large personal expenditures after depositing the money into her bank account. Additionally, the teacher organized or attempted to organize field trips without following the Board's student travel policy and worked unapproved secondary employment for years.

The events leading to the teacher's embezzlement began in approximately fall 2016, when the teacher began planning a field trip to Washington, D.C. The teacher pitched the trip to her school's Local School Council, which had wanted to send students on more trips outside of Chicago. After the pitch, the teacher began fundraising and secured a \$3,000 donation check from a local community bank.

When a new principal arrived at her school, the teacher's plans hit a snag. Wary of allowing field trips planned before her arrival to move forward, the principal canceled the Washington, D.C., trip and instructed the teacher to return the \$3,000 donation.

The teacher ignored her principal and instead deposited the donation into her personal checking account. She endorsed the check, which was made out to the school, by signing the school's name and then her own name on the endorsement line. In her interview with the OIG, the teacher admitted that neither her principal nor the clerk in charge of her school's internal accounts knew she was going to make the deposit or gave her permission to do so.

The teacher claimed that she deposited the \$3,000 into her personal account because the school moves slowly and she needed to make purchases for her students. The teacher's bank records, though, show no evidence of these purchases, and she did not provide the OIG with receipts corroborating her alleged expenditures. The bank records did show, however, that the teacher made several large personal expenditures shortly after the deposit, including catering for her own class reunion, airfare, a Chicago river cruise, and a purchase from a pool and patio store.

During its investigation, the OIG also learned of the teacher's pattern of planning and leading field trips without following Board policies. The teacher admitted that she did not have prior approval before leading a summer trip to Six Flags Great America for students who performed well on a standardized test and another trip to a charitable organization. For the latter, the teacher also admitted that a non-CPS employee associate of hers transported students in a rented van. The OIG did not obtain any evidence that this individual was approved as a CPS volunteer or that the teacher's principal granted permission for the use of a private vehicle.

The OIG also learned that in 2019, the teacher began planning a trip to Springfield, Illinois, with a private student travel company and without her principal's knowledge or approval, and even distributed an informational flyer to her students.

Finally, the OIG discovered that the teacher worked unapproved secondary employment at a student enrichment program.

The OIG recommended the teacher's termination and placement of a Do Not Hire designation in her personnel file. In response, the Board initiated dismissal proceedings against the teacher, which are currently pending.

Teacher Assistant Performed Unapproved Secondary Employment During Her CPS Remote Learning Work Day (20-01341)

During remote learning in Fall 2020, a teacher assistant violated CPS' Code of Ethics by performing unapproved secondary employment as a nanny during her work hours. The teacher assistant nannied a CPS special needs student and, as part of this work, would sit with the student while he attended his own online CPS school day.

During an interview with the OIG, the teacher assistant admitted that she nannied in the afternoons four days a week, that she never notified her principal about this work, and that she did not recall completing a Secondary Employment Approval Form. Although her remote learning work day ended at 3:15 p.m., she admitted that she left her residence around 1:30 p.m. for her nannying job. The teacher assistant's principal told the OIG that all of her school's teaching staff, including the teacher assistant, should be available to work with students and parents during afternoon "asynchronous" time. The teacher assistant's secondary employment thus overlapped with her work day by nearly two hours and rendered her unavailable—or, at least, *less* available—to complete her CPS duties.

The OIG also found that the teacher assistant worked for a second family as a nanny during the summer of 2020 and as an evening/weekend babysitter during the school year and failed to report this work to CPS as well.

The OIG recommended appropriate discipline for the teacher assistant. In response, the Board terminated the teacher assistant and a Do Not Hire designation was placed in her personnel file.

SECTION 5 – Sexual Allegations Unit Investigations

A. Three Years of Investigations by the OIG’s Sexual Allegations Unit

The OIG’s Sexual Allegations Unit has now completed three full calendar years of investigating adult-on-student sexual misconduct allegations, having started taking complaints on October 1, 2018. During this time, the SAU has opened over 1,200 investigations into specific allegations, while also helping drive improvements in the District by raising overarching concerns about specific job categories, schools, and networks that need additional training and support.

As of November 30, 2021, the SAU closed 756 investigations, broken out as follows:

- **63** investigations substantiating sexual misconduct (sexual harassment, sexual abuse, sexual electronic communication, or grooming) by CPS-affiliated adults.
 - This number includes all findings of sexual misconduct by CPS-affiliated adults, regardless of when or where the conduct occurred. It includes complaints by current CPS students against current CPS staff, in addition to delayed outcries by former CPS students against adults who are still employed by CPS, and sexual misconduct by CPS staff members outside of school (e.g. home-based abuse);
- **175** investigations resulting in substantiated non-sexual policy violations (i.e. travel and electronic communication policies, general professional boundaries with students)
- **339** investigations were not substantiated, either because a preponderance of the evidence did not indicate that the alleged misconduct occurred, or the conduct did not constitute a policy violation; and
- **171** investigations were either referred or administratively closed after an initial investigation.

SAU investigations have resulted in 174 adults being terminated, or otherwise resigning/retiring during or after the investigation. Criminal charges have been brought against 32 individuals, including for recent conduct with CPS students occurring in connection with school-related activities, prior misconduct by current staff members with former CPS students (e.g. delayed outcries), and conduct that has no connection to CPS (e.g. home-based abuse or with minors who do not attend CPS). Several more police-involved investigations are still ongoing.

The numbers highlighted above demonstrate that the District has become increasingly able to identify, investigate, and eliminate misconduct occurring within its schools. The sheer volume of complaints indicates that stakeholders within CPS are paying better attention to, and reporting, potential sexual misconduct.

However, legislative barriers and administrative shortcomings in many cases prevent the findings of OIG SAU investigations from protecting children outside of CPS. Loopholes exist that can be exploited by staff members who are either under investigation for, or have been found to have committed, serious/sexual misconduct with children to obtain jobs working with children outside of CPS. This may include jobs or volunteer opportunities in other school districts, afterschool programs, camps, tutoring and other youth programs.

B. Sexual Misconduct Under CPS Policies, but not Criminal Statutes

Of the 63 substantiated allegations of sexual misconduct against CPS-affiliated adults in the last three years, about half of them resulted in criminal charges.

There are many reasons why the other perpetrators of sexual misconduct substantiated by the OIG did not face criminal charges. For example, sexual harassment can involve conduct that is offensive or creates a hostile environment, but it often does not cross the criminal threshold.

Case Example - 19-00265: Teacher sent a student numerous concerning messages, including in the evenings and even while on vacation in another country. Additionally, the teacher arranged for the student to be assigned to his class after the student had intentionally signed up for another class to avoid the teacher. The OIG found that the teacher sexually harassed the student and violated other CPS policies.

In other cases, the sexual misconduct revealed by OIG investigations is beyond the reach of criminal statutes, such as in cases in which sexual misconduct involves a student who is 17 years old but the perpetrator is not considered to be in a position of authority. See 720 ILCS 5/11-1.20.

Case Example - 19-01110: The OIG found that a high school teacher began a romantic and sexual relationship with a CPS student when the student was 17 years old. The teacher was not charged with any sexual offenses because the teacher was not in a position of trust or authority over the student (she taught at a different school, but knew the student attended CPS). However, the teacher was charged with domestic violence and acquitted at a bench trial.

With respect to grooming, SAU investigations have identified six CPS-affiliated adults who violated CPS policy by grooming students for the purpose of committing sexual abuse. However, until recently, Illinois' criminal grooming statute required that the grooming conduct take place by electronic means. 720 ILCS 5/11-25(a)(2018).

On December 3, 2021, Governor Pritzker signed Faith's Law, which expands criminal grooming to include in-person, written, and other conduct intended to lure, solicit, seduce, or entice a child or their guardian for the purpose of committing sex offenses against the child. Id. (effective June 1, 2022).

This change to the grooming law was one of several recent legislative changes enacting recommendations from the Make S.A.F.E. (Sexual and Severe Physical Abuse Fully Extinct) Task Force, which was created by the General Assembly in the wake of the *Chicago Tribune's* 2018 "Betrayed" series, to review issues related to the sexual abuse of students in school-related settings and make recommendations to better protect children. As a member of the Task Force, the OIG raised this concern about the grooming law with the Make S.A.F.E. Task Force and contributed to the drafting of the Task Force's recommendation to broaden the criminal definition of grooming to include non-electronic conduct. See the Final Report of the Make S.A.F.E. Task Force, Recommendation #20 ("*Expand the statutory definition of "Grooming" in the Illinois Criminal Code to include conduct beyond electronic communication.*"), available at isbe.net/makesafe.

Further, the different burdens of proof between administrative and criminal investigations can also lead to different outcomes. This may occur when the victim chooses not to cooperate with the OIG and CPD investigations. Whereas the OIG may be able to uncover sufficient other evidence to find by a preponderance of the evidence that the adult engaged in criminal sexual conduct, law enforcement may conclude that the same evidence does not meet the heightened burden of proof for criminal proceedings.

Case Example - 19-00416: An investigation determined that a security officer, who worked at a charter school and was employed by a vendor of the charter, exchanged flirtatious text messages with a high school senior via their personal cell phones, including sending and receiving nude pictures of one another. CPD opened an investigation but suspended the case because the student and mother did not cooperate with the police.

Case Example - 19-00312: A high school sign language interpreter had a romantic relationship and sex with a hearing impaired 17-year-old student. Both the student and interpreter colluded and falsely denied the allegations to DCFS, CPD, and the OIG. While DCFS and CPD did not pursue the investigation further, the OIG's investigation uncovered evidence that the interpreter and student were indeed in a sexual relationship while the student was enrolled at CPS, that the interpreter was in a position of authority, and the interpreter groomed the student with the purpose of committing sexual abuse.

The OIG appreciates the evidentiary and statutory constraints faced by law enforcement when reviewing allegations under OIG investigation. However, absent an arrest or conviction, the OIG is concerned that there are inadequate protections in place to prevent the same individuals who engaged in sexual misconduct with CPS students from obtaining employment with children outside of the District.

a. Licensed Staff Who Are Found to Have Engaged in Non-Criminal Sexual Misconduct May Face Licensure Repercussions

The Illinois State Board of Education (ISBE) has the authority to disqualify, suspend or revoke the license upon the arrest or conviction of a licensee for certain criminal offenses, including

sex offenses, pending the outcome of the proceedings. 105 ILCS 5/21B-80 (2021).⁴ This system is not perfect, and there can be a lag between an arrest and license suspension. Nonetheless, the process would likely prevent most licensees from getting another job working with children that requires licensure while their criminal charges are still pending.

When a licensee is found to have engaged in sexual misconduct based on a school's investigation but is *not* arrested, other notification provisions apply:

Child Abuse or Neglect: School districts are required to notify ISBE when there is "reasonable cause to believe [the licensee] has committed an intentional act of abuse or neglect [of a child] ... and that act resulted in the license holder's dismissal or resignation from the school district." 105 ILCS 5/34-18.5(e-5). This mandatory notification can only be made after the licensee's employment is terminated (voluntarily or involuntarily), and not upon the receipt of a credible allegation.⁵

Other Immoral, Negligent, and Unprofessional Acts: School districts can also refer a matter to ISBE for review to determine if a licensure investigation is deemed appropriate. See 105 ILCS 5/21B-75. Upon receipt of evidence of the following offenses, ISBE has considerable discretion to initiate its own investigation and determine whether it will pursue license suspension or revocation: (1) abuse or neglect of a child; (2) immorality; (3) a condition of health detrimental to the welfare of pupils; (4) incompetency; (5) unprofessional conduct; (6) the neglect of any professional duty; (7) willful or negligent failure to report an instance of suspected child abuse or neglect; or (8) other just cause. See 105 ILCS 5/21B-75(b).

The OIG appreciates and does not seek to minimize the due process considerations involved in license suspension and revocation. However, the potential danger to child safety is

⁴ ISBE is to be notified within 10 days of the arrest, and is required to immediately suspend or revoke the licensee's license. See 105 ILCS 5/21B-80 (2021). Based on available information on ISBE's public licensure search function, there can be a delay lasting months between a licensee's arrest and the suspension of their license. While the arrest itself may appear on a background check that is usually required before taking a position working with children, there are employment and volunteer opportunities involving children that may not require a background check. The lag between an arrest and license suspension provides a window of time in which the licensee can claim that they are an educator in good standing and particularly qualified to teach, coach, tutor, or otherwise supervise children.

⁵ As with arrests, this system is not perfect. For example, an employee can be suspended from work by CPS upon receipt of an allegation that raises child safety concerns. However, that employee's license would remain active until the OIG has completed its investigation and substantiated serious or sexual misconduct allegations and the employee has either resigned, or their employment was terminated after applicable disciplinary processes are complete. During this time when the employee is suspended from CPS pending the investigation but their license is active, they can get another job working with children. This is not a hypothetical problem; the OIG is aware of a few CPS staff members who were suspended from CPS pending investigation and started working elsewhere without resigning from CPS.

exacerbated when combined with the restrictions employers face on seeking and sharing disciplinary information involving sexual misconduct (discussed below).

A review of OIG SAU investigations about which ISBE was notified since 2018 highlights the level of discretion that is afforded to ISBE when determining whether to suspend or revoke a license, including this non-exhaustive list of examples:

- Several staff members determined to have engaged in non-criminal but serious sexual misconduct (including grooming) voluntarily surrendered their licenses, foregoing a formal revocation procedure.
- OIG Case # 19-01110: Teacher had a sexual relationship with a CPS student when the student was 17 years old (but attended a different school), and was charged with domestic violence and subsequently acquitted. The OIG report was issued in December 2019 and ISBE was notified; Professional Educator's License still active as of December 23, 2021.
- OIG Case # 19-00612: An OIG investigation determined that a substitute teacher was found to have sexually abused his own child. There are other additional allegations under review. The OIG's report was issued in March 2021 and ISBE was notified, however the employee's Substitute License was still active as of December 23, 2021.
- OIG Case # 19-00265: Teacher found to have sexually harassed students in an OIG report from March 2021 and ISBE was notified; Professional Educator's License still active as of December 23, 2021.
- CPS Department of Law investigation from 2008: Investigation concluded that teacher engaged in child sexual abuse. However, this predates statutory amendments regarding notification to ISBE. Teacher's employment with CPS was terminated, but his license is still active and there is evidence suggesting this individual is teaching elsewhere in Illinois.

b. Absent an Arrest or Conviction, Unlicensed Staff Members and Volunteers Can Easily Evade Detection of Sexual Misconduct History Outside of CPS

Significant loopholes exist for unlicensed staff and volunteers who have been permanently terminated or blocked by CPS for sexual misconduct, but who are not facing criminal charges. Some of the OIG's most troubling noncriminal investigations involve unlicensed staff, volunteers and vendors, who can find another job working with children outside of CPS without their misconduct becoming known. For example:

- OIG Case # 18-01553: Investigation closed in December 2019 found that an employee of a CPS vendor groomed an elementary school student by engaging in a pattern of conduct that had a sexual purpose (although no sexual abuse was found to

have occurred). This individual was not licensed, and was not charged under the existing criminal grooming statute.

- OIG Case # 19-00416: Investigation closed in February 2020 found that a security officer hired by a vendor at a charter school exchanged flirtatious text messages with a high school senior, eventually sending and receiving nude pictures of one another. CPD opened an investigation but suspended the case because the student and mother did not cooperate. The OIG has since received additional complaints that the same individual continues to engage in similar misconduct with other current CPS students.
- OIG Case # 19-00401: Investigation closed in October 2021 found that a custodian employed by a CPS vendor told an elementary school student that she was “sexy” and called her beautiful. No criminal charges were pursued.
- OIG Case # 19-00879: Investigation closed in March 2020 found that a CPS security officer engaged in contact of a sexual nature with a 17-year-old CPS student while they were both employed at the same entity outside of CPS. Criminal charges were not pursued.

There is no centralized database of unlicensed individuals who have been fired or blocked from child-focused programs – including schools, camps, and sports teams – based on substantiated findings of sexual or other serious misconduct.

When an individual is a volunteer or is in a position that may not require licensure or significant prior experience (e.g., security guards, custodians, lunchroom staff), omitting their CPS volunteer experience or employment from a job application would avoid a reference check with CPS unless the prospective employer independently knew of the prior employment. These individuals can gain access to children without their previous misconduct being discovered by their new employer.

C. Information about Sexual Misconduct with Students Not Always Shared with Other Districts Due to Liability Concerns

Despite legislative changes in recent years, uncertainty remains among employers about potential liability for disclosing information about prior findings of sexual misconduct. As a result, the OIG has observed reluctance by public schools, private schools and other organizations in Illinois⁶ that work with children to share information about staff members who have moved on to other schools after findings of sexual misconduct with students have been made against them. In some instances, the OIG has been required to issue subpoenas

⁶ Disclosing this information to, or receiving it from, entities in other states is further complicated by whatever legal obstacles may exist in those states.

to other schools for critical information about the subjects of SAU investigations. When this information is not shared, it puts children at risk.

In 2019, the Personnel Record Review Act was amended to allow schools to retain and disclose to third parties disciplinary records that are more than four years old when they are related to an incident (or attempted incident) of sexual abuse or severe physical abuse. 820 ILCS 40/8. Specifically, that amended statutory language provides as follows:

An employer shall review a personnel record before releasing information to a third party and, except when the release is ordered to a party in a legal action or arbitration, delete disciplinary reports, letters of reprimand, or other records of disciplinary action which are more than 4 years old. This Section does not apply to a school district or an authorized employee or agent of a school district who is sharing information related to an incident or an attempted incident of sexual abuse or severe physical abuse.

While this amendment was an improvement, it has not stopped school staff from moving to other districts after committing sexual misconduct with students. Notably, the statute does not require a former employer to contact a new employer upon learning that an individual with substantiated sexual misconduct has found a new job working with children. The OIG has continued to observe a reluctance to share information about former staff members with other schools or organizations, likely due to liability concerns. This is true in instances when findings of sexual misconduct were made recently and when they were made more than four years ago.

D. Recommended Solutions

As things stand, staff who commit sexual misconduct with students are often able to jump to another district, where they can pose a danger to those students while hiding their history of sexual misconduct with children in that new school community.

One critical improvement to this state of affairs would be for the General Assembly to enact legislation granting civil and criminal immunity to schools and other organizations working with children that share information about findings of sexual misconduct with other entities. This immunity would also apply to child-focused positions outside of schools (camps, afterschool programs, sports leagues, etc.).

Additionally, as mentioned above, the Make S.A.F.E. Task Force was created to review issues related to the sexual abuse of students in school-related settings and make recommendations to better protect children. The Task Force considered the issue of people obtaining new positions working with children after having committed sexual misconduct with a former employer.

The Task Force recommended that ISBE create and manage a database used to track school staff members who committed sexual misconduct with students or had pending

investigations for allegations of sexual misconduct with students. See the Final Report of the Make S.A.F.E. Task Force, Recommendation #19, available at isbe.net/makesafe.

The OIG participated in the work of the Task Force and fully supports this recommendation. Significantly, this centrally-managed database must not be limited to licensed individuals. As discussed above, the OIG SAU’s investigations have shown several instances of sexual misconduct in schools being perpetrated by unlicensed individuals working with children.

Of course, in addition to managing this database, ISBE would also need the authority to disclose to inquiring school districts whether its current or prospective staff members had been found by a previous employer to have committed sexual misconduct with students. This would be the simplest and most cost-effective way for districts across the state to vet candidates and employees because districts could direct their inquiries to a single entity.

Notably, when contacting previous employers to vet candidates, prospective employers currently have to rely on the information disclosed by the candidate. However, an ISBE-managed database would provide new employers with a reliable source of information about sexual misconduct findings. The critical importance of the database would be worth the additional funding that ISBE would need to operate it.

Legal immunity for sharing information about sexual misconduct and a centrally managed database of statewide information are two critical measures needed to resolve the issue of staff members moving to other districts committing sexual misconduct with children.

These measures, however, are not exhaustive. The Final Report of the Task Force set forth various other important recommendations and the efforts by the General Assembly and other dedicated stakeholders to improve child protection in this state are ongoing.

E. Case Inventory, Allegations, Police Involvement, and Personnel Action

During the fiscal year 2021, the OIG opened 209 SAU cases. Compared to previous years, case intake remained lower due to the ongoing Covid-19 pandemic and remote learning.

Cases Opened FY 2021 by Allegation Type

Category	Definition	
Sexual Act	Penetration	16
Sexual Abuse	Physical conduct for sexual gratification, e.g.	13
Sexual Comment - In Person	Unambiguously sexual comment to a	3
Grooming	Actions to break down inhibitions for the	13
Sexual Electronic	Sexual text messages, emails, or other	12

Touching: Less than Sexual	Touching of a possible (not obvious) sexual	12
Concerning: Other	Leering, “creepy” behavior or other	128
Outcry About Past Conduct	Recent outcry concerning conduct several	7
Failure to Report	Violation of Mandatory Reporting Policy	2
Student on Staff	Students initiating concerning behavior	3

In fiscal year 2021, the OIG's SAU investigations resulted in 56 staff members being removed from schools while they were under investigation to ensure that children were being protected. For 41 employees, the investigations led to the end of their employment with the district.

F. Overview of Investigations Concluded In Fiscal Year 2021

In fiscal year 2021, the OIG completed 56 investigations with substantiated findings of misconduct. The OIG completed 56 SAU investigations that were unsubstantiated. The OIG referred 70 cases to appropriate offices following an initial investigation that indicated the allegation was not sexual in nature. Each substantiated case is discussed below in more detail.

While the OIG found violations in all of these cases, 12 of them were particularly severe. The offenders in the first two matters discussed have already been criminally charged. The next 10 cases include other severe sexual misconduct matters as well as instances of grooming students for sexual abuse. The police investigated many of these cases, but ultimately closed or suspended most of them due to various reasons, such as insufficient evidence to proceed with criminal prosecution.

The third category of cases includes numerous instances of sexual harassment, as well as a few other instances of sex-based discrimination or other sexual misconduct. The last category includes a high number of cases in which the OIG found conduct that violated CPS' guidelines on maintaining professional boundaries with students, but did not rise to the level of sexual misconduct.

G. Matters Involving Criminal Charges

- *Teacher Groomed Two Minor Students and Sexually Abused One of the Students (19-00257)*

A teacher groomed two minor students for the purpose of sexual abuse while teaching at an elementary school. The OIG was notified after the teacher was arrested in February 2019 and charged with twenty felony counts, including criminal sexual assault and aggravated

criminal sexual abuse. The teacher's grooming behaviors began during the 2016-17 school year and involved a 12 to 13-year-old student who was in seventh grade at a CPS school.

The teacher was the student's math instructor and tutor until the student moved to a suburban school district, where the teacher's grooming efforts continued. The teacher admitted to engaging in sexual misconduct with the student on multiple occasions starting, at the latest, when the student was 13 years old and in eighth grade.

The police recovered nude and sexual images, as well as explicit texts, exchanged by the teacher and the student when the student was 14 years old. The OIG was unable to determine whether the sexual interactions began before the student moved out of Chicago (leaving CPS), or whether the improper communications occurred only after the student had moved. The teacher's conduct constituted criminal violations including criminal sexual assault, criminal sexual abuse, solicitation of child pornography, distributing harmful material to a minor, solicitation to meet a child, and statutory grooming.

The other student was either a 13 or 14-year-old seventh grader when the grooming started. The teacher and the student exchanged romantic letters, which indicated that the teacher had made prohibited physical contact with the student. Additionally, the teacher's phone records showed that he communicated extensively with the student while she was attending a CPS school.

The investigation established that the teacher groomed the student for the purpose of sexually abusing her; made physical contact with the student for the purpose of sexual gratification; and continued communicating with the student via cell phone when the student was in high school. The OIG learned from police that the teacher's phone contained pornographic images that the student had sent him after she turned 18. This conduct violated CPS' sexual harassment policy.

Upon receiving the allegations against the teacher in February 2019, the OIG recommended that CPS pull the teacher from active duty. CPS promptly pulled the staff member from active duty one day after the teacher's arrest on criminal charges, and the teacher resigned in July 2020.

The OIG referred all conduct revealed by its investigation to the appropriate law enforcement agencies. The teacher's criminal case remains pending in Cook County and is scheduled for further proceedings in January 2022.

The OIG recommended that a permanent Do Not Hire designation be placed in the teacher's file, and that ISBE be notified. The Board placed a Do Not Hire designation in the teacher's file. ISBE records show that his teaching license was suspended.

- *Teacher Sexually Harassed Two Female Students by Touching Their Chests (19-00584)*

An elementary school teacher sexually harassed two female students by making unwelcome physical contact with their chests on separate occasions. The first student alleged that the teacher, while standing behind her to supposedly explain a homework assignment involving “badges,” intentionally reached over and moved his hand up and down over her breast. This allegation was corroborated by multiple eyewitnesses, who gave consistent accounts of the incident.

The second student alleged that the teacher handed her an extra credit assignment and pushed the paper onto her chest, at which point he intentionally touched her chest. The second student told her friend about the incident at the time it occurred. There was insufficient evidence that the teacher inappropriately touched a third student on her lower back while she was sitting down.

The teacher’s conduct constituted prohibited sexual harassment and romantic or sexual conduct under CPS’ Comprehensive Non-Discrimination Title IX and Sexual Harassment Policy, and it violated CPS’ guidelines on maintaining professional boundaries with students.

Upon receiving the allegation, the OIG recommended that CPS pull the teacher from active duty, and CPS promptly did so. The teacher was arrested and charged with aggravated criminal sexual abuse shortly after the OIG received the initial complaint. The teacher’s criminal case remains pending in Cook County and has been scheduled for further proceedings in January 2022.

Based on the investigation’s findings, the OIG recommended that the teacher be terminated; that a permanent Do Not Hire designation be placed in his file; and that the Illinois State Board of Education be notified. The Board subsequently initiated dismissal proceedings, which remain pending. The Board also advised that hearings to terminate the teacher’s license are pending with ISBE. ISBE records show that his teaching license was suspended.

H. Other Matters Involving Grooming or Severe Sexual Misconduct

- *Vendor Employee Engaged in Romantic Interactions With Student (19-00022)*

A vendor’s employee had prohibited contact with a high school student, which included contact outside of school, exchanging text and phone communication, as well as contact of a sexual nature.

The evidence included phone records showing numerous late-night communications between the employee and the student as well as a picture of them in an intimate pose, with the student resting his head and upper body on the vendor employee’s chest/breasts. The investigation determined that the employee’s conduct constituted romantic or sexual

conduct in violation of CPS' Comprehensive Non-Discrimination Title IX and Sexual Harassment Policy.

Upon receiving the allegation, the OIG recommended that CPS pull the vendor employee from active duty, and the vendor employee was promptly pulled from active duty. Additionally, CPD investigated, but suspended its investigation pending other investigative leads.

The OIG recommended that CPS personally and permanently debar the employee from working as a CPS vendor and also recommended that CPS flag the employee's file for review and consideration of this matter in the event the employee applies for a position with CPS, a charter school, or is otherwise subject to a CPS background check.

The Board subsequently flagged her file as requested. The Board has advised that it has initiated debarment proceedings against the employee, which are still pending.

- *Teacher repeatedly sent student unwelcome messages including "I still look for you at your locker when I enter the building" and made comments of a sexual nature during class (19-00265)*

A high school teacher sent hundreds of messages via the CPS-sanctioned Remind app to a student over the course of more than a year but told OIG investigators that he had only communicated with the student a "couple times."

The teacher initiated all of the messaging with the student, which included numerous messages sent during the summer months even though the student was not in a class with the teacher.

The teacher messaged the student in the evenings and even while on vacation in another country. Several particularly concerning messages, which the teacher continued to send despite the student not replying to them, included "I still look for you at your locker when I enter the building"; "I thought of you so I thought I'd say hi"; and "Though you are determined to forget me, I am determined not to let that happen."

Additionally, the teacher arranged for the student to be assigned to his class after the student had intentionally signed up for another class to avoid the teacher.

Separately, the teacher made numerous comments of a sexual nature during class. The teacher claimed that the students' allegations were "gross distortions of [his] humor and shtick," but admitted that he made comments such as "three words boys love, 'delete browsing history'"—a reference to searching online sexually explicit material. The teacher also admitted that he had told other sexually-charged anecdotes in class.

The teacher's conduct toward both the student that he had been messaging as well as toward the class generally constituted sexual harassment. His conduct also violated the CPS Policy on the Acceptable Use of the CPS Network and Computer Resources along with numerous sections of the Guidelines Regarding Maintaining Professional Staff/Student

Boundaries. However, the evidence was insufficient to conclude that the teacher had engaged in grooming.

The OIG recommended termination of the teacher's employment, placement of a "Do Not Hire" designation in his personnel file, and notification to the Illinois State Board of Education. The Board initiated dismissal proceedings against him and the teacher resigned. The Board subsequently placed the requested designation in his personnel file. The Board also notified ISBE, but his license remains active.

- *Sign Language Interpreter Engaged in Sexual Conduct with a Student (19-00312)*

A high school sign language interpreter had sex with a 17-year-old student. One of the student's classmates reported the interactions to DCFS, but both the student and interpreter colluded and falsely denied the allegations to DCFS, CPD, and the OIG.

However, the OIG's investigation revealed screenshots of Facebook comments posted by the student and the interpreter announcing they were in a relationship immediately after the student graduated; text messages in which the student discussed her interactions with the sign language interpreter with a friend; phone records showing frequent communications between the student and interpreter; photos of the two; corroborated statements from the student's classmates who discussed the sign language interpreter's interactions with the student; statements of staff members who witnessed the interpreter engaging in grooming behaviors with the student, such as intimate physical contact and isolated interactions; and corroborated statements from the interpreter's ex-boyfriend, who witnessed the student in the interpreter's vehicle outside of the interpreter's residence. The investigation also revealed that the student and the interpreter were living together in Maryland when the student went there to attend a university.

The interpreter's conduct constituted grooming and violated CPS' sexual harassment policy. The interpreter's communications with the student via the student's private mobile device violated CPS' staff acceptable use policy. Additionally, the interpreter's transportation of the student in her personal vehicle violated CPS' student travel policy.

Upon receiving the allegation, the OIG recommended that CPS pull the teacher from active duty, and CPS promptly pulled the staff member from active duty. DCFS and CPD both investigated and unfounded the allegations. The OIG contacted CPD after discovering evidence that was not previously available to law enforcement, but CPD declined to reopen its investigation. Nonetheless, because the student was underage at the time of the sexual conduct, and the interpreter was in a position of authority, the interpreter's conduct likely constituted criminal sexual assault under Illinois law.

At the time the OIG issued its report, the teacher had been terminated, and the OIG recommended adding a Do Not Hire designation to her personnel file. The OIG also recommended that any licensing body for the interpreter's credentials be notified of these findings with a recommendation that any license to work with minors be revoked.

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Additionally, the OIG recommended that the Law Department notify the interpreter's current employer of the OIG's findings to the extent permitted by law. The OIG further notified CPD and DCFS of its findings.

The Board subsequently terminated the interpreter's employment with CPS and added a Do Not Hire designation to her file.

- *Substitute Teacher Sexually Abused His Daughter Away from School While She Was a CPS Student (19-00612)*

A substitute teacher sexually abused his daughter, who was a CPS student. The student consistently disclosed the incident to multiple individuals, including the student's mother, other students, and during a forensic interview during a police investigation.

Although there were no direct witnesses to the incident, the student's consistent recollection of incident details such as the manner and location of physical contact across multiple disclosures, as well as other corroborating evidence from the student's mother and sister, were sufficient to substantiate the allegation.

Additionally, CPD also investigated at the time the allegation was initially raised. CPD's investigation was suspended due to "inconsistent statements by the victim," and pending results for a sexual assault kit. The lab results ultimately found insufficient human male DNA for analysis, however, CPD did not identify any specific inconsistent statements made by the victim.

DCFS initiated three investigations against the substitute, relating to sexual abuse of the daughter, but all three were unfounded.

Upon receiving the allegation, the OIG recommended that CPS pull the substitute from active duty, and CPS promptly pulled the staff member from active duty.

The OIG recommended termination of the substitute's employment, and a placement of a Do Not Hire designation placed in the employee's personnel file. The OIG further recommended the ISBE be notified of the findings of this investigation.

The Board subsequently terminated the substitute and placed a Do Not Hire designation in his file. The Board also notified ISBE, but his teaching license remains active.

- *Student Became Pregnant After Sex with a Vendor's Security Guard, Guard Later Made Threats to Her Through Electronic Communications (19-00788)*

A security guard working for a CPS vendor communicated with a 19-year old high school student via social media and cell phone, had sex with the student on two occasions, and she became pregnant.

The security guard communicated with the student on SnapChat and through their cellular phones, which included the security guard sending the student pictures of his penis. The

security guard also had sex with the student at his house on two occasions within a two-week period.

After the student informed the security guard that she was pregnant, he blocked her phone number, blocked her on social media, and threatened to kill her unless she terminated the pregnancy.

The security guard's conduct violated the CPS' sexual harassment policy, and his communications with her violated CPS' staff acceptable use policy.

The security guard was no longer working at CPS when the OIG's investigation began because his employment contract with the vendor had not been renewed. The OIG recommended that CPS permanently debar the security guard from working as a CPS vendor and flag his file for review and consideration in the event that he applies for a position with CPS or a charter school, or is otherwise subjected to a CPS background check. The OIG further recommended an audit of the vendor's personnel files to ensure compliance with retention policies and CPS' background check policy.

The Board subsequently flagged the security guard's personnel file as recommended. The Board has advised that it has initiated debarment proceedings against the vendor security guard that are still pending. The Board advised that it did not have authority to audit the alternative school vendor's personnel files.

- *High School Teacher Made Frequent Inappropriate and Flirtatious Comments to High School Student, Exchanged Hundreds of Electronic Messages (19-01868)*

The OIG found a high school teacher sent inappropriate and flirtatious electronic messages to a CPS student. An investigation of all the evidence, including the frequency and content of the communications (e.g., sexually suggestive nicknames), showing favoritism, singing love songs to the student, and exchanging hundreds of electronic messages constituted sexual harassment and created a hostile learning environment for the student.

The OIG also found that if the grooming policy had been in effect during the time of this conduct, the teacher would have violated CPS' current grooming policy.

The teacher was placed on a leave of absence, and then resigned from CPS. The OIG recommended that the Board place a Do Not Hire designation in his personnel file and also recommended that the Board consider referring this matter to ISBE for the possible revocation of his certificates.

The Board placed a Do Not Hire designation in his personnel file. The Board also notified ISBE, which revoked his license.

- *Teacher Engaged in Sexual and Romantic Conduct with Student (19-01898)*

A teacher engaged in romantic and sexual misconduct with a CPS student, both while the student was a CPS student and directly after the student graduated from CPS. The CPS graduate alleged past misconduct against this teacher, which occurred before and after the student graduated high school.

While he was a CPS student, the teacher entered the shower with the student while both were nude, and further rubbed the student's shoulders while the student was wearing only a towel. After the student graduated, the teacher invited him to the teacher's apartment, where he gave the graduate alcohol and performed oral sex on the graduate without consent.

Although the teacher's misconduct happened more than 10 years ago, the OIG's investigation corroborated several details to substantiate the allegation.

This investigation determined that the conduct violated CPS' Policy Against Sexual Harassment and Procedures for Employee and Student Complaints, and further constituted grooming, which was only recently explicitly defined by CPS policy.

CPD also investigated but closed its investigation because the allegations were beyond the statute of limitations.

The teacher was terminated as a result of a previous Law Department investigation and his ISBE license has been revoked. The OIG recommended this report be forwarded to ISBE in case this teacher ever applied to have his license reinstated.

The Board subsequently forwarded the report to ISBE.

- *Day-to-Day Substitute Repeatedly Attempted to Engage Inappropriately with Student (19-02104)*

A substitute teacher repeatedly attempted to engage with an elementary student and even told the student that he would be driving him home one day when the student's parents had not authorized any such plans (the teacher did not eventually drive the student home). The teacher tried interacting with the student both on and off CPS property.

The substitute teacher also attempted to engage the student in conversation and he peeked through the student's classroom door to look at the student.

Upon receiving the allegation, the OIG recommended that CPS pull the substitute from active duty, and CPS promptly pulled the staff member from active duty. The substitute teacher was subsequently terminated for unrelated conduct.

The investigation concluded that the conduct represented a persistent, pervasive, and troubling pattern of inappropriate behavior constituting sexual misconduct, and potential

grooming behaviors, in violation of CPS' Comprehensive Non-Discrimination Title IX and Sexual Harassment Policy.

The OIG recommended placing a Do Not Hire designation in the substitute's personnel file and blocking him from any CPS properties. The OIG also recommended the Board notify ISBE of his misconduct. The Board subsequently placed a Do Not Hire designation in his personnel file. The Board also notified ISBE, but his teaching license remains active.

- *Custodial Worker Inappropriately Engaged with High School Student on Multiple Occasions (19-02107)*

A custodial worker had several prohibited interactions with a female high school student in which he would sit too close to her when he tried striking up a conversation and said things to her that made her uncomfortable. This included making comments about the student's smile and calling her "beautiful." This behavior occurred over multiple years. The student made multiple, consistent outcries to staff members, including a list of emailed complaints against the custodial worker.

The investigation established that the misconduct constituted sexual harassment in violation of CPS' Comprehensive Non-Discrimination Title IX and Sexual Harassment Policy.

Further, the administrative staff member who received several of these complaints from the student failed to properly report them as required under CPS' Comprehensive Non-Discrimination Title IX and Sexual Harassment Policy.

Upon receiving the allegation, the OIG recommended that CPS pull the custodial worker from active duty, and CPS promptly pulled the worker from active duty. Additionally, CPD investigated, but it suspended its investigation pending cooperation from the student.

The OIG recommended termination of the custodial worker's employment and a placement of a Do Not Hire designation placed in the employee's personnel file. The OIG additionally recommended appropriate discipline for the administrative staff member.

The Board subsequently terminated the custodial worker and placed a Do Not Hire designation in his file. The Board issued a five-day suspension to the administrative staff member.

- *National Guard Recruiter Touched Students Inappropriately While Taking Their Measurements (19-02400)*

In two separate incidents, a military recruiter and CPS volunteer instructed two female CPS high school students to strip down to their underwear for body measurements as part of the recruiting process.

During these one-on-one encounters, which occurred off of CPS property, the recruiter told the recruits things like “If you want to, we can take everything off to get exact” and “your bra is nice, I like it. Nice color.”

Additionally, the recruiter made sexual comments about the female recruits and touched them inappropriately while taking their measurements. A sergeant with the National Guard told the OIG that taking measurements by having recruits strip down was unnecessary or at least not required. The OIG found the recruiter abused his position of authority to have the students remove their clothes while alone with him in violation of CPS' sexual harassment policy.

The OIG recommended the Board personally and permanently debar/block the recruiter from working as a CPS vendor/volunteer, flag his file for review and consideration of this matter in the event he applies for a position with CPS, and notify the National Guard Recruitment Office of the results of the investigation.

The Board has advised that it has scheduled debarment proceedings against the recruiter. The Board also flagged his file as recommended and notified the National Guard Recruitment office.

I. Other Sexual Harassment, Sex Discrimination, and Sexual Misconduct

● *Program Vendor's Employee Sexually Harassed Female Students (19-00994)*

An instructor for a CPS classroom program vendor frequently stared at female students in a way that made them feel uncomfortable, stood too close to female students, gave female students hugs, and massaged their shoulders, as well as repeatedly called female students by pet names.

The investigation established that the instructor's repeated leering at female students, coupled with repeated and unwanted (although not overtly sexual) touching of students, including massaging their shoulders, created a hostile learning environment for multiple students by interfering with their ability to participate or benefit from the class. The instructor violated CPS' sexual harassment policy, as well as CPS' guidelines on maintaining professional boundaries with students.

The OIG recommended CPS personally and permanently debar the instructor from working as or for a CPS vendor, as well as flag his file for review and consideration of this matter in the event he applies for a position with CPS.

The Board subsequently advised that it flagged his file as recommended. The Board also initiated debarment proceedings against him, which are still pending.

- *Vendor Security Guard Showed Students Pornography on His Cell Phone (19-00995)*

A security guard vendor's employee at a charter high school showed a group of male students several cell phone videos and photographs of himself engaging in sex acts, including oral sex and vaginal sex. The security guard denied the allegations. However, three students gave similar accounts of the incident; their forensic interviews were consistent with their previous written statements of what occurred; and one of those students disclosed the incident to a fourth student shortly after it occurred.

If the security guard had been a district employee, his conduct would have constituted sexual harassment under CPS' Comprehensive Non-Discrimination Title IX and Sexual Harassment Policy, and it would have violated CPS' guidelines on maintaining professional boundaries with students. There was no evidence that the security guard's cell phone was connected to the CPS Network at the time of the incident which would violate the Staff Acceptable Use policy.

Upon receiving the allegation, the OIG recommended that CPS pull the guard from active duty, and the charter school promptly pulled him from active duty. At the time of the report, the security guard no longer worked with the charter and had moved out of state.

The OIG recommended that CPS permanently debar the security guard from employment with CPS and any of its charter schools and vendors. Given the security guard's extensive criminal background, the OIG further recommended that the charter network review its hiring procedures to ensure compliance with CPS' background check policy.

The Board did not initiate debarment proceedings but flagged his file. The charter advised that it reported the security guard's conduct to his employer and reported the incident to the Illinois Department of Financial and Professional Regulation. The charter further advised that it no longer contracts with the vendor.

- *Cafeteria Employee Made a Violent, Sexually-Charged Comment to a Student and Made a Masturbating Hand Gesture in Front of Students (19-01366)*

An elementary school cafeteria employee made an inappropriate comment to a student regarding prison rape, stating something to the effect of, "If you were in prison, you would be fresh meat." The employee also made a masturbatory hand gesture in front of students.

The investigation found that the cook's comment to the student violated CPS' Comprehensive Non-Discrimination Title IX and Sexual Harassment Policy. The comment and gesture also violated CPS' guidelines on maintaining professional boundaries with students which prohibit engaging in sexual banter, jokes, or innuendos with students and require that contact between students and staff must always be appropriate to the circumstances, non-sexual and unambiguous in meaning.

The employee was on medical leave when the OIG initiated its investigation. The OIG recommended appropriate discipline up to and including termination. The Board initiated dismissal proceedings, which are still pending.

- *Teacher Made Sexual Comments to Students, Engaged in Gender Discrimination in the Classroom, and Traveled With Students on Unauthorized Trips (19-01716)*

A high school teacher sexually harassed various students by making comments of a sexual nature to them and engaging in gender discrimination. The teacher also made offensive, race-based comments to, or in the presence of, students; engaged in disparate treatment of students on the basis of race and gender when it came to classroom seating and participation; and accompanied students on unofficial club trips that were not approved by the principal and that the teacher was not authorized to chaperone.

The teacher denied the allegations of harassing and discriminatory conduct, but multiple students gave consistent accounts of the teacher making comments of a sexual nature to them and engaging in gender discrimination in the classroom. Further, the teacher made various statements that were contradicted by credible evidence. The teacher admitted to taking the unauthorized trips as alleged.

The teacher's discriminatory and harassing conduct constituted sexual harassment under CPS' Comprehensive Non-Discrimination Title IX and Sexual Harassment Policy because it created an intimidating, hostile or offensive learning environment. His conduct also violated CPS' guidelines on maintaining professional boundaries with students, and the trips violated the Student Travel Policy, which prohibits staff members from chaperoning trips with students without written authorization from the principal.

The teacher resigned from his employment with CPS during the investigation. The OIG recommended that a Do Not Hire designation be added to the teacher's personnel file. The Board placed a Do Not Hire designation in the teacher's personnel file.

- *Substitute Teacher Gave Drawings and Poems to Students, Offered Candy and Food to Another Student, and Non-Sexual Touching Made One Student Uncomfortable (19-01944)*

A charter school substitute teacher gave several elementary students drawings and/or poems, and attempted to give another student candy or food, which the student refused. The substitute's touching of a student on the shoulder area, while not sexual in nature, made the student uncomfortable. Elevating the students' discomfort around the substitute was the fact that he had never previously interacted with them prior to this occasion.

The investigation determined that the substitute's misconduct would have violated CPS' Comprehensive Non-Discrimination Title IX and Sexual Harassment Policy if he were a CPS employee.

Upon receiving the allegation, the OIG recommended that the substitute teacher be blocked from active duty, and the charter vendor employee was promptly blocked.

The OIG recommended that the charter school continued to bar the substitute, that CPS flag the teacher's file for review and consideration of this issue in the event he applies for a position with CPS, or another charter school, or otherwise undergoes a CPS background check, and also recommended the Law Department notify the ISBE of the investigation's findings.

The charter advised that it has ceased doing business with the vendor that employed the substitute. The Board subsequently flagged the substitute's file as recommended. The Board also notified ISBE, but his substitute license remains active.

- *Custodian Called Student "Sexy," Referred To Female Students With Gender Specific Pet Names, And Repeatedly Made Unsolicited Comments On Female Students' Attire (19-02216)*

A high school custodian admitted that he told a student she looked "sexy." The custodian also called female students "sweetheart" and "baby girl." He called male students "son."

On multiple occasions, the custodian confronted female students about their clothing. He told one student that her crop top was inappropriate, and he told another student that her skirt was too short. The custodian had no official role in enforcing the student dress code.

Additionally, the custodian repeatedly approached a group of female students at the lunch table attempting to make conversation in a manner that made them uncomfortable.

The custodian's conduct towards female students violated the CPS Comprehensive Non-Discrimination Title IX and Sexual Harassment Policy. The conduct also violated CPS' Guidelines Regarding Maintaining Professional Staff/Student Boundaries, which prohibit use of "pet names" and require that contact between students and staff must always be appropriate to the circumstances, non-sexual and unambiguous in meaning.

Upon receiving the allegation, the OIG recommended that CPS pull the custodian from active duty. CPS initially declined to pull the custodian. As the investigation progressed, the OIG again recommended that CPS pull the custodian, and CPS pulled the custodian upon the OIG's second request.

The OIG recommended appropriate discipline for him. The Board terminated the custodian's employment with CPS and added a Do Not Hire designation to his file.

- *Security Guard Frequently Grabbed or Pulled Students to Get Their Attention and Engaged in Overly Familiar Behavior with Female Students (20-00155)*

A high school security guard grabbed or pulled students' arms or backpacks on a frequent basis in an effort to get their attention and he engaged in overly-familiar behavior with

female students. The students whom the security guard touched were mostly female, and some of them reported feeling uncomfortable. Several students reported that the security guard largely focused his attention on female students and made overly familiar comments, such as calling a student “pretty” and telling another student “trouble comes in small packages.”

The security guard was in a position of authority and his conduct constituted sexual harassment towards female students in violation of CPS' non-discrimination policy. The conduct also violated CPS' guidelines on maintaining professional boundaries with students, which require that contact between students and staff must always be appropriate to the circumstances, non-sexual and unambiguous in meaning and that staff maintain professional and appropriate physical boundaries.

The OIG recommended appropriate discipline for him. The Board subsequently initiated dismissal proceedings, which are still pending.

- *Teacher Repeatedly Stared at Female Students (20-00304)*

A high school teacher repeatedly stared at four female students in a manner that caused them to feel uncomfortable. The female students alleged that he stared at their faces, and on one occasion, he stared at the chest of one of the students.

Additionally, the teacher made unwelcome physical contact with a student when he shook her hand after she had told him that she did not want to shake his hand, though the evidence did not support that the contact was sexual in nature. The evidence also did not support more general allegations that the teacher had inappropriately encroached on students' personal space.

The teacher had been the subject of numerous similar allegations. He was suspended in 2006 for using verbally abusive language in front of students and for staring inappropriately at a female student.

A female student and several female staff members reported in 2008 that the teacher had stared at their breasts and made inappropriate comments to them. In 2012, a female student alleged that the teacher had stared at female students' buttocks while they stretched during class. In 2014 a female student alleged that the teacher stared at her while she was using the water fountain.

The teacher's conduct constituted sex/gender-based harassment in violation of the CPS Comprehensive Non-Discrimination, Harassment, and Retaliation Policy, and he also violated the Guidelines Regarding Maintaining Professional Staff/Student Boundaries.

In the course of the investigation, a female staff member told the OIG that she had witnessed the teacher staring at a female student teacher, looking her up and down. The OIG referred this allegation to the Equal Opportunity Compliance Office (EOCO). An EOCO

investigator was unable to contact the student teacher, however, and did not open an investigation.

The initial report in this investigation indicated that two students were uncomfortable with the way that the teacher stared at them. After assessing the allegation and noting the prior complaints against the teacher, CPS pulled the teacher from active duty approximately a week after receiving the complaint.

The OIG recommended appropriate discipline for the teacher. The Board initiated dismissal proceedings against him, which are still pending.

- *CPS Associate Lunchroom Manager Made Sexual Comments to Students, Stared at Female Students in a Sexual Manner, and Made a Sexual Gesture Toward a Group of Students (20-00511)*

A high school associate lunchroom manager made sexual comments to students, made a sexual gesture to a group of female students, stared at female students in a sexual manner, used profanity, and played inappropriate music. The evidence established that the associate lunchroom manager made comments to female students about wanting to have sex with a female co-worker and commented on the co-worker's breasts. He also made a gesture to a group of female students by placing his tongue between his fingers, suggestive of oral sex. Additionally, the associate lunchroom manager inappropriately stared at female students, particularly their buttocks, used profanity with students, and played music with sexually explicit lyrics while students were present during the school day.

The associate lunchroom manager's conduct constituted sexual harassment under CPS' sexual harassment policy and violated CPS' guidelines on maintaining professional boundaries with students.

Upon receiving the allegation, the OIG recommended that CPS pull the associate lunchroom manager from active duty, and CPS promptly did so. The OIG recommended termination of the associate lunchroom manager's CPS employment and placement of a Do Not Hire designation in his personnel file. The Board subsequently terminated the associate lunchroom manager and placed a Do Not Hire designation in his file.

- *Driving Instructor Frequently Called Female Students by Pet Names, Students Reported Feeling Uncomfortable (20-00556)*

A driving instructor frequently called female students by pet names such as "baby girl," "sweetheart," and "pretty girl." Several of the female students reported that they were made uncomfortable by his persistent and pervasive use of these names for them. One of them said that she felt she could not report the comments due to the instructor's control over her ability to obtain a certificate necessary for her to get a driver's license. The instructor's misconduct violated CPS' sexual harassment policy.

The OIG recommended appropriate discipline for the instructor, and the Board subsequently gave him a Level One Performance-Improvement Plan.

- *Military Instructor Gave Rides to Two Students (20-00762)*

A military instructor asked a vendor's employee to inquire whether a female student had a crush on him. The instructor also made multiple comments about the student's physical appearance. The investigation determined that the military instructor's conduct constituted sexual harassment, in violation of CPS' sexual harassment policies in place at the time.

The employee resigned from CPS after committing the misconduct but before the OIG received the allegations. The OIG raised this as potentially meriting a block at the outset of the investigation. Based on the available evidence, approximately four months after the initial allegation, CPS subsequently blocked the resigned military instructor from volunteering and attending events with CPS students.

The OIG would have recommended the military instructor's termination had he not already resigned. The OIG recommended that CPS flag his personnel file with the investigative report in the event he applies for another CPS position or undergoes a background check. The Board flagged his personnel file as requested. The OIG further recommended that CPS debar the vendor's employee for asking the student whether she had a crush on the military instructor.

J. Other Matters Involving Violations of CPS Policies or Guidelines

- *Two Staff Members Exceeded Professional Boundaries with Students (19-00034)*

A high school clerk and a student exchanged hundreds of cell phone communications that continued after the student graduated. While there was no direct evidence that the clerk and student had any sexual interactions, the phone records indicate that their communications exceeded appropriate staff-student interactions.

The investigation also found that a high school nurse knew of the concerning interactions between the clerk and student, including first-hand observations of them being alone together in a room, but failed to report it. The nurse also communicated with students via cell phone.

The clerk and the nurse violated CPS' policies prohibiting communications between staff and students via personal cell phones and the guidelines regarding maintaining professional boundaries between staff and students.

As a result of the clerk's refusal to cooperate with the OIG's investigation, a Do Not Hire designation was placed in her personnel file. The OIG recommended the Do Not Hire designation remain in her file permanently. For the nurse, the OIG recommended appropriate discipline, up to and including termination.

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The Board subsequently flagged the clerk's file as requested and initiated termination proceedings against the nurse, which are still pending.

- *Military Academy Classroom Monitor Transported Students in His Vehicle in Violation of CPS Policy (19-00694)*

A classroom monitor at a military academy school gave rides to two students in his personal vehicle on separate occasions. The OIG received an anonymous allegation that an unnamed student and the monitor kissed in the monitor's car. The investigation did not establish that the monitor kissed the student or that any other similar misconduct occurred.

The monitor admitted giving rides to two students in violation of CPS' Student Travel Policy.

Although one student said that she had a crush on the monitor, there was insufficient evidence to conclude that the ride was a prearranged meeting or that the monitor kissed the student. There was also insufficient evidence to conclude that the monitor kissed any other student or that any misconduct of a sexual nature occurred during either of the rides.

The monitor resigned during the investigation. In his resignation letter, the employee made a concerning note that he was leaving so that nobody would have to "lie for him."

After the monitor resigned, a Do Not Hire designation was placed in his personnel file. The OIG recommended no further action.

- *Basketball Coach Had Students at Personal Residence and Transported Students in Personal Vehicle (19-00896)*

A charter high-school basketball coach had students over to her personal residence on two separate occasions, which included two female students sleeping there overnight. She also transported students in her personal vehicle on multiple occasions. If she were a CPS employee, the coach's conduct would have violated the CPS Student Travel Policy as well as CPS guidelines on maintaining professional boundaries with students.

Additionally, a suburban police department investigated, but suspended the case due to no evidence of a sexual act.

The OIG recommended that the coach's file be flagged in the event that she applies for a position with CPS or a different charter school. Because the coach had resigned from her position, the OIG recommended no further personnel action.

The Board subsequently flagged the coach's file as recommended.

- *Teacher Made Remarks Speculating About Student's Sexual Activity in Front of Other Students (19-00967)*

A high school teacher made frequent and inappropriate comments to a student regarding a hickey on her neck. The teacher also read intimate texts between the student and the

student's boyfriend over her shoulder and offered his opinions to the student about having a sexual relationship with her boyfriend.

The teacher denied making the comments but the allegations were corroborated by another student who was present when they were made. The investigation established that his comments to the student violated the guidelines regarding maintaining professional boundaries between staff and students.

The OIG recommended appropriate discipline for the teacher.

The Board has initiated termination proceedings and referred the matter to ISBE.

- *Teacher Frequently Discussed Personal Matters with Students and Had Exchanged Text Messages with One Student for Several Years (19-01138)*

An investigation established that a teacher had been communicating with students about non-school matters for a period of years. One student, who had been regularly engaged in these communications, called the teacher her "best friend." There was no evidence that the teacher communicated with any students in a sexual or romantic manner or otherwise engaged in sexual misconduct. Nonetheless, the teacher violated CPS policies prohibiting electronic communications between staff and students as well as guidelines regarding maintaining professional boundaries between staff and students.

The OIG would have recommended appropriate discipline, but the teacher resigned her employment prior to the OIG's report being issued. The Board advised that it had flagged her file for disciplinary action should she be rehired.

- *Teacher's Non-Sexual Physical Contact Violated CPS Guidelines, Cell Phone Contact with Student Was Not Inappropriate (19-01290)*

A teacher at a charter elementary school, while outside of the school and with other students and staff present, touched a student's shoulders, put her arm around his shoulders, and gave the student a frontal hug on the same day.

The teacher also communicated with the same student via cellphone, with three calls each lasting under two minutes. The investigation found that the school administration directed teachers to include their cell phone numbers in their email signature and the student initiated the communications.

The investigation found that the teacher's physical contact with the student was inappropriate to the circumstances. If the teacher had been a CPS employee, the conduct would have violated CPS' guidelines on maintaining professional boundaries with students, which require that contact between students and staff must always be appropriate to the circumstances, non-sexual and unambiguous in meaning. The three, brief cell phone communications did not violate CPS' staff acceptable use policy under the circumstances.

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The OIG recommended that the charter take appropriate action. The teacher resigned while under investigation and the charter advised that it took no further action.

- *Pre-Kindergarten Teacher Allowed Students to Sit on His Lap (19-01382)*

A pre-kindergarten teacher allowed students to sit on his lap. The evidence was insufficient, however, to substantiate the allegation from a staff witness that the teacher had an erection after a student had sat on his lap. The teacher's conduct violated the Guidelines Regarding Maintaining Professional Staff/Student Boundaries.

The OIG recommended appropriate discipline, up to and including termination. The Board subsequently gave him a Level Two Performance Improvement Plan.

- *A Special Education Teacher and an Hourly Employee Gave Students Rides Home from Football Practice in Their Personal Vehicles Without Authorization (19-01557)*

A special education teacher and an hourly employee gave students rides home from summer football practice in their personal vehicles in violation of CPS' guidelines on maintaining professional boundaries with students.

The OIG recommended training on appropriate policies for both employees. The Board gave the special education teacher a "no action" Performance-Improvement Plan. The Board additionally flagged the hourly employee's file to receive a memorandum of understanding if he returns to CPS.

- *High School Teacher Exchanged Thousands of Text Communications with Female Student, Lied About Communications and Other Contacts with the Student During Investigation (19-01607)*

A high school teacher engaged in substantial, inappropriate personal cell phone communication with a student over a period of one year. The extent of communication showed the teacher and student exchanging over 1,400 text messages, including numerous messages between 10:00 p.m. and 3:00 a.m.

In the first of two interviews with the OIG, the teacher repeatedly lied and minimized the extent of his communications with the student. The student also denied the communications. Additional cell phone records, however, established that the communications were much more numerous than the teacher claimed.

The teacher violated the CPS Acceptable Use Policy as well as CPS guidelines on maintaining professional boundaries with students.

Upon receiving the allegation, the OIG recommended that CPS pull the teacher from active duty, and CPS promptly pulled the staff member from active duty.

The OIG recommended termination and a Do Not Hire designation be placed in his personnel file. The Board began termination proceedings and then the teacher resigned. The Board additionally placed a Do Not Hire designation in his file.

- *Special Education Employee Made Repeated Jokes to Student About Her Mother Being Romantically Interested in Him (19-01764)*

A SECA admitted to making jokes to a seventh-grade student about her mother being romantically interested in him and sending him texts. The SECA's comments, made in front of other students, made the student uncomfortable and violated the guidelines regarding maintaining professional boundaries between staff and students.

The OIG recommended appropriate discipline for the SECA. The Board subsequently issued a five-day suspension.

- *Charter School Teacher Made Plans to Meet with a Student After School to Give Student Food Items(19-01768)*

A charter school teacher purchased various food items for a student and asked her to meet him after school so he could give her the food when nobody else would be present. Although the teacher denied asking the student to meet him after school, the student's account was more credible because she made previous consistent statements to family members regarding the teacher's conduct, and the teacher made inconsistent claims. Had the teacher been a CPS employee, his conduct would have violated CPS' guidelines on maintaining professional boundaries with students.

The OIG referred the case to the charter school. Had the teacher been a CPS employee, the OIG would have recommended appropriate discipline. The OIG further recommended that the teacher's file be flagged for review and consideration in the event that he applies to a CPS or charter school, or is otherwise subjected to a CPS background check.

The charter advised that the employee resigned and no further disciplinary action was taken. The charter further advised that it had flagged the employees file as ineligible for rehire.

- *Elementary Teacher's Conduct Demonstrated Inappropriate Boundaries with Students (19-02050)*

An elementary school teacher admitted to telling students to "check their pants" after he had them hug during a mediation session between the students, which was an inappropriate innuendo that they may have discharged. The teacher also touched the shoulders of two female students and blew an air kiss to one of them.

The investigation showed that the teacher's conduct violated the guidelines regarding maintaining professional boundaries between staff and students.

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The OIG recommended appropriate discipline for the teacher. The Board subsequently gave him a Level Two Performance-Improvement Plan.

- *Multiple Students Observed Substitute Teacher “Checking Out” and Staring “Up and Down” at Female Students (19-02077)*

A substitute teacher looked and/or stared at female students during class and in the hallway. Multiple students observed the teacher “check[ing] out” and staring “up and down” at female students. The teacher’s conduct violated the CPS Guidelines Regarding Maintaining Professional Staff/Student Boundaries.

In the course of the investigation, multiple students raised concerns regarding the staff member’s classroom management and grading. The OIG referred these concerns to the Law Department.

The staff member resigned prior to the conclusion of the OIG’s investigation. The OIG recommended that the staff member’s personnel file be flagged and the result of the OIG’s investigation be considered should the individual apply for a position at CPS or otherwise submit to a CPS background check. The Board advised that it flagged his file as recommended.

- *Substitute Teacher Blew Kisses to Student and Made Inappropriate Comment to Student (19-02211)*

A charter vendor substitute teacher blew kisses to a female elementary school student and made an inappropriate comment to a male elementary school student. Several students presented consistent accounts of the substitute’s behavior, as well as expressing discomfort with the conduct. While this conduct was inappropriate and made several students uncomfortable, it did not constitute sexual harassment or misconduct. The investigation determined that if the substitute had been a CPS employee, his misconduct would have violated CPS’ guidelines on maintaining professional boundaries with students.

The OIG recommended that the charter and the vendor take any action they deemed appropriate. Although CPS could not place a Do Not Hire designation in the substitute’s personnel file since he was not a CPS employee, the OIG recommended that the substitute’s file be flagged for review and consideration of this case in the event that she applies for a position with CPS or a different charter school, or is otherwise subject to a CPS background check. The charter subsequently issued notices to all of its substitute teacher vendors that the substitute was banned from its schools. The Board subsequently flagged her file as recommended.

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- *Coach Communicated with Student Via Cellphone in Violation of Staff Acceptable Use Policy (19-02237)*

A high school football coach made five calls over the course of two months to a student on the team via the student's personal phone. The football coach admitted to occasionally communicating with students via call and text.

The students interviewed by the OIG stated that the communications were regarding football and college and there was no evidence that any of the communications were otherwise improper. The OIG found that the communications with the students violated CPS policy, which prohibits communicating with students through their personal mobile devices. CPS has pre-approved social media and communications applications that coaches, and other staff, can use to communicate with students.

The OIG recommended appropriate discipline. The Board advised that the coach vacated his position and that his file was flagged for disciplinary action should he be rehired.

- *Teacher Exchanged Text Messages with a Student About a Student-on-Student Sexual Allegation and Failed to Report It (19-02256)*

A teacher at a charter elementary school exchanged text messages with a student and met with the student one-on-one just outside of the school doors.

The messages showed that the student initiated the texting conversation with the teacher regarding a sexual student-on-student allegation at another school. The teacher did not report that student-on-student allegation. There was no evidence that the communications between the teacher and student were otherwise inappropriate in nature.

The OIG found that, if the teacher had been a CPS employee, her conduct would have violated CPS' staff acceptable use policy, which prohibits communicating with a student through their personal mobile device. The OIG also found that the teacher's failure to report the student-on-student sexual allegation would have violated CPS' Comprehensive Non-Discrimination, Harassment, and Retaliation Policy.

The OIG recommended that the charter take appropriate action. If the teacher were a CPS employee, the OIG would have recommended appropriate discipline. The charter advised that it determined discipline was not necessary and that it would advise the teacher on avoiding similar situations in the future. (Does this mean "additional training"?)

- *Counselor Exchanged Non-Sexual Calls and Text Messages With a Student (19-02272)*

A school counselor communicated with a student through the student's personal mobile device. The counselor and student exchanged eight calls and numerous text messages in violation of the Staff Acceptable Use policy. However, there was no evidence that any of the

communications were sexual in nature. The teacher also admitted to calling the student to ask about her interview with the OIG in this investigation.

Before the OIG's investigation was completed, the counselor was terminated for unrelated reasons and a Do Not Hire designation was placed in the counselor's personnel file. The OIG recommended no further disciplinary or personnel action.

- *Military Academy Basketball Coach Transported Student in His Vehicle (19-02393)*

A head coach of a military academy's girls' basketball team transported a student to a boys' basketball game at another school without obtaining permission from the student's parents. On the way to the game, the police stopped the coach's vehicle for having an expired vehicle registration. The car was towed, and the coach and student were taken to the police station.

The investigation revealed no evidence of sexual misconduct. However, the coach failed to gain written parental consent as required by CPS' Student Travel Policy.

Upon receiving the allegation, the OIG recommended that CPS pull the coach from active duty, which CPS promptly did.

The OIG recommended appropriate discipline for the coach. The Board subsequently terminated the coach and placed a Do Not Hire designation in his personnel file.

- *Gym Teacher Engaged in Ambiguous Touching of Students That Was Inappropriate and Violated CPS Policy (19-02401)*

An elementary school teacher engaged in repeated, ambiguous, and inappropriate physical contact with students, which included frequently touching and rubbing female students on the shoulders, poking a female student's buttocks with a hockey stick on one occasion, and winking at students on multiple occasions. The gym teacher also made several non-sexual but inappropriate comments to female students.

The investigation concluded that although the conduct was ongoing and persistent, it was not of a sexual nature, as defined by CPS' Comprehensive Non-Discrimination, Harassment, and Retaliation Policy. The investigation determined that the teacher's conduct violated CPS' guidelines on maintaining professional boundaries with students.

The OIG recommended appropriate discipline and/or training on CPS policies and also referred non-sexual comments and conduct to the Law Department for appropriate action.

The Board subsequently gave the gym teacher a Level Two Performance-Improvement Plan.

- *Substitute Teacher Stared at Students for Lengthy Periods of Time and Scratched His Crotch, Making Students Uncomfortable (19-02406)*

A substitute teacher stared at multiple students and also scratched his crotch in front of students, which made multiple students uncomfortable. The investigation found the

substitute teacher's conduct violated CPS guidelines on maintaining professional boundaries with students. Upon receiving the allegations, the OIG recommended that CPS pull the substitute from active duty, and CPS promptly pulled the staff member from active duty.

The OIG recommended appropriate discipline. The OIG also recommended that the Board consider whether the substitute's block from assignments at CPS should be lifted and whether the substitute should receive additional training or coaching before interacting with students again. The Board subsequently gave the substitute a Level One Performance-Improvement Plan and lifted the block.

- *Teacher Touched Students' Shoulders, Hovered and Stood Too Near to Students, Making Them Uncomfortable (19-02464)*

A teacher at an elementary school touched students' shoulders, hovered near students, and placed his foot on students' chairs. While there was insufficient evidence to demonstrate that the teacher's conduct was sexual or romantic in nature, purposeful, or targeted towards any particular student, several students expressed being made uncomfortable by how close the teacher got to them. The OIG found that his conduct violated CPS' guidelines on maintaining professional boundaries with students, which require that contact between students and staff must always be appropriate to the circumstances, non-sexual and unambiguous in meaning.

The OIG raised the allegations as potentially meriting a staff pullout at the outset of the investigation. Based on the available evidence, CPS subsequently pulled the staff member approximately three weeks after the initial allegation. Additionally, DCFS and CPD investigated but closed their respective cases as unfounded.

Had the teacher not already been laid off at the time of the report, the OIG would have recommended appropriate discipline for him, up to and including termination and the placement of a Do Not Hire designation in his file. The Board subsequently gave the substitute a Level One Performance Improvement Plan.

- *Teacher Placed His Hands On Two Female Students' Faces (19-02495)*

An elementary school teacher placed his hands on two female students' faces during class and asked them if his hands were cold. The teacher also commented on the appearance of one of the students on two occasions, telling her that her outfit looked "cute." The evidence was insufficient to conclude that the teacher stared inappropriately at female students as was alleged.

The teacher's conduct violated the Guidelines Regarding Maintaining Professional Staff/Student Boundaries, which require that "personal contact between students and staff members must always be appropriate to the circumstances, non-sexual and unambiguous in meaning."

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The OIG recommended appropriate discipline for the teacher. The Board subsequently gave him a Level Three Performance Improvement Plan.

- *Vendor Custodian Employee Attempted the Unwelcome Touching of a Female Student's Hair (20-00119)*

A custodian employee of a CPS vendor attempted to touch a female student's hair. Security video showed the employee trying to do this and the student moving out of the way. The investigation found that the vendor employee's conduct violated CPS guidelines on maintaining professional boundaries with students.

The OIG recommended the vendor impose appropriate discipline, further training, and no longer assign the employee to CPS properties, as conditions for the vendor's continued business with the District.

- *Coach Drove Students Home from Basketball Games in His Personal Vehicle Without Authorization from School Administration or Parent/Guardian. Investigation Showed The Students Had No Alternative Ways to Get Home (20-00141)*

An investigation determined that an elementary school basketball coach gave at least two students rides home in his personal vehicle on more than one occasion after basketball games without authorization from the school's administration or the students' parents/guardians as required per CPS Student Travel policy.

The students did not allege that the coach acted inappropriately when he was driving them home, and the students who received rides told the OIG that they were never alone in the car with the coach. The investigation also found that the students did not have another way to get home on the dates when they received a ride from the coach.

Although there was no evidence of misconduct that was sexual in manner, the coach was technically in violation of CPS' policies for driving students in his own vehicle without the authorization of the school administration or the student's parent/guardian.

During the investigation, the OIG referred to CPS other unrelated allegations against the coach. The coach's employment was terminated on other grounds while the investigation was ongoing. The OIG would have otherwise recommended appropriate discipline. The Board subsequently reinstated the coach with a non-disciplinary memorandum of understanding.

- *Two Staff Members Failed to Follow CPS Policy After Reporting Concerns with Custodian's Interactions with a Student to the Student's Mother Instead of School Principal (20-00153)*

An investigation determined a staff member at an elementary school had concerns regarding a custodian's interactions with students, including that the custodian allowed students to touch his face and allowed students to play with the keys hanging from his pants

pocket. The staff member notified a student's mother, but failed to notify the principal, assistant principal, or Network Chief as required by CPS policy.

The investigation also determined a different staff member failed to report the same matter to the principal after the mother came to the school to report her concerns. While the OIG's investigation did not find any evidence of sexual misconduct in the underlying conduct, the two staff members failed to follow the reporting requirements in violation of CPS policy.

At the outset of the investigation, the OIG raised the custodian's alleged conduct as potentially meriting a staff pullout. Based on the available evidence, CPS subsequently pulled the custodian approximately two weeks after the initial allegation.

The OIG recommended training for the staff members. The Board subsequently reinstated the custodian but relocated him. Additionally, the Board imposed a six-day suspension for one staff member and the other staff member received a Level Three Performance-Improvement Plan.

- *School Clerk Hugged a Kindergarten Student and Kissed Their Cheek in the School Hallway (20-00235)*

A school clerk hugged a kindergarten student and kissed them on the cheek in the school hallway. The student had just suffered an injury and was being escorted by a school nurse. Evidence did not support that the school clerk had kissed the student's cheek on any other occasions. The school clerk's action violated the Guidelines Regarding Maintaining Professional Staff/Student Boundaries.

Upon receiving the allegation that an employee had kissed a student, the OIG recommended that CPS pull the school clerk from active duty, and CPS promptly pulled the staff member from active duty.

The OIG recommended appropriate discipline. The Board subsequently reinstated the clerk and gave her a Level Two Performance Improvement Plan.

- *Security Officer/Coach Called and Texted a Student (20-00332)*

A security officer who was also a sports coach called and texted a female student who was the team manager. It was initially alleged that the coach engaged in sexual misconduct with the student, but there was insufficient evidence that he did so.

Both the coach and student denied the allegation, and none of the numerous students interviewed provided evidence of the misconduct. The coach, however, texted the student for team-related purposes, and his phone records reflected that he called the student's cell phone at least twice. This conduct violated CPS' Staff Acceptable Use Policy.

The investigation also found insufficient evidence that the coach engaged in misconduct.

Upon receiving the allegation of sexual misconduct, the OIG recommended that CPS pull the coach from active duty, which CPS promptly did.

Based on the evidence, the OIG recommended appropriate discipline for the coach and a determination of whether he should be reinstated. The OIG also recommended further training regarding appropriate boundaries with students for the coach, if he was reinstated. The Board subsequently terminated the coach and placed a Do Not Hire designation in his personnel file.

- *Band Teacher Told an Eighth Grade Female Student That She Would Need to Learn “How To Use Your Tongue” as Part of a Sexually-Charged Comment in Front of Other Students (20-00347)*

An investigation determined a high school band teacher made a sexual comment to an eighth-grade female student. As she played the French horn, the teacher made a comment to the effect of “You need to learn how to use your tongue, because boys or girls, or whatever you’re into, will not be into you if you don’t know how to use your tongue.”

The teacher claimed that he couldn’t precisely recall the words that he used, but he admitted to making an inappropriate comment.

The teacher’s statement was innuendo about oral sex and it violated the guidelines regarding maintaining professional boundaries between staff and students.

Upon receiving the allegation, the OIG recommended that CPS pull the teacher from active duty, and CPS promptly pulled the staff member from active duty.

The OIG recommended appropriate discipline for the teacher. The Board subsequently initiated disciplinary proceedings against him, which are still pending.

- *Charter School Teacher Allowed Students Access to Personal Cell Phone (20-00465)*

A charter school teacher admitted to frequently allowing students to use her personal cell phone, which may have stored nude photographs. The investigation also determined the teacher had cell phone contact with multiple students and gave students both frontal and side-hugs. The investigation found no evidence that any student actually accessed or possessed nude photographs of the teacher. Also, there was no evidence the teacher communicated with any students in a sexual or romantic manner or otherwise engaged in sexual misconduct.

If the teacher was a district employee instead of a charter school employee, her conduct would have violated CPS policies regarding maintaining professional boundaries between staff and students, and communicating with students via personal cell phones. The OIG referred this matter to the charter school for further assessment. The charter advised that the teacher was provisional and did not return.

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- *Vendor's Community Outreach Mentor Made Inappropriate Statements to Female High Students (20-00512)*

A vendor community outreach mentor engaged in several inappropriate behaviors, including repeatedly asking a high school student her age, as well as making several potentially flirtatious comments to her and other students. While the employee's behavior was not inherently sexual, the investigation determined that the employee's conduct violated CPS' guidelines on maintaining professional boundaries with students.

Upon receiving the allegation, the OIG recommended that CPS pull the staff member from active duty, and CPS promptly pulled the staff member from active duty.

The OIG recommended corrective action to include training the employee on CPS policies and guidelines, as a condition for the vendor's continued engagement with CPS. The Board permanently blocked the employee from working with CPS.

- *Investigation Found Mitigating Circumstances For Some of a Teacher's Communications With Students Via Cell Phone (20-00719)*

A high school teacher communicated with several students via cell phone following the death of one of their classmates. The calls were brief and were mostly initiated by the students. The teacher was aware of rumors that one of the students had a crush on her, and the teacher promptly reported the rumors to school administrators.

Evidence did not support second-hand and shifting allegations that the teacher told the student that they could date when the student turned 18. Evidence also did not support that the teacher was ever alone with a student in the classroom with the door closed, as alleged. Upon receiving the allegations, however, the OIG recommended that CPS pull the teacher from active duty, and CPS promptly pulled the teacher.

The teacher's conduct violated the CPS Policy on the Acceptable Use of the CPS Network and Computer Resources. Her relationships with several students approached the boundaries of appropriate student-staff relationships, but the evidence showed that she repeatedly communicated with the school administration and fellow staff as she worked to support students who were coping with the death of a classmate.

Under the circumstances, the evidence did not show that the teacher violated the Guidelines Regarding Maintaining Professional Staff/Student Boundaries.

The OIG recommended reinstatement of the teacher and training for the teacher regarding the Staff Acceptable Use policy and appropriate boundaries with students. The Board subsequently reinstated the teacher and gave her a Level Two Performance Improvement Plan.

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- *Vendor Employee Sent Student Text Messages and Asked About Students Home Addresses (20-00721)*

This investigation established that an employee of an afterschool program vendor asked several students for their home addresses and phone numbers and also exchanged several texts via personal cell phone with one student. The investigation determined that the vendor employee's conduct violated CPS' guidelines on maintaining professional boundaries with students, as well as CPS' Staff Acceptable Use policy.

Since the program the vendor employee worked for had already ended and she was no longer a vendor employee, the OIG recommended this report be reviewed in the event the employee applies for CPS or vendor employment again.

The Board indicated that it will track the vendor employee and the program vendor and ensure appropriate training occurs if either returns to CPS.

- *Teacher Drove Students Home (20-00789)*

An elementary school teacher admitted to driving students in her personal vehicle after basketball games when those students did not have other ways of getting home. Although the OIG found no evidence of sexual misconduct, the teacher was in violation of CPS' policies regarding transporting students in personal vehicles without the written permission of school administration and the student's parent/guardian, as well as the guidelines restricting the use of personal vehicles to transport students without principal and parent consent.

The OIG recommended appropriate discipline for the teacher. The Board gave the teacher a non-disciplinary memorandum of understanding.

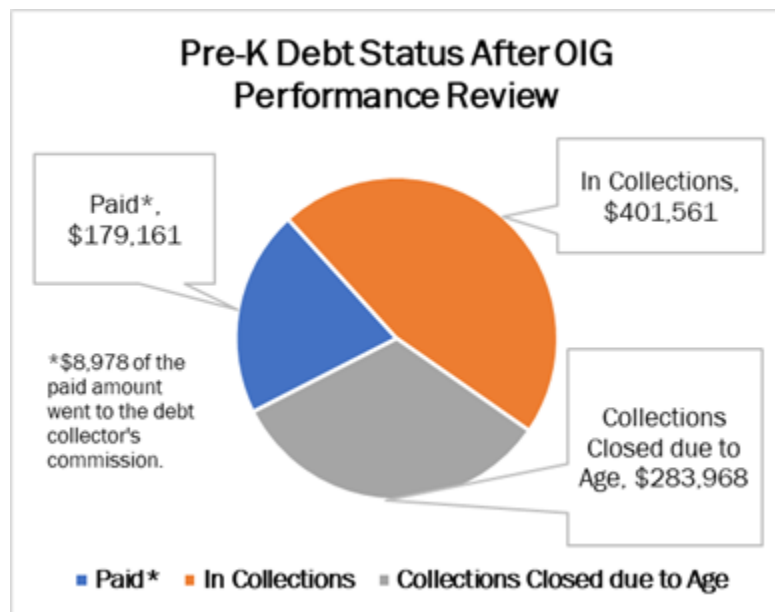
SECTION 6 – Update on Previously Reported Matter

Performance Review of CPS Pre-K Billing and Collections (18-00133)

A Performance Review completed in December 2018 found that CPS left as much as \$2 million in pre-K payments on the table over four years (SYs 2014-15 to 2017-18). The OIG has previously publicly reported on this Review via [a March 2019 Significant Activity Report](#) and in its [FY 2019 Annual Report](#).

Some of this money was not recoverable due to one-time errors or other issues, but CPS has pursued debt owed by parents who simply did not pay their bills. It also demanded repayment from a group of employees investigated by the OIG because their income was significantly under-reported on pre-K applications, reducing or even eliminating their pre-K copays.

However, the pandemic has affected collections, causing CPS to pause its efforts in March 2020.



Since the OIG's original report, just under \$180,000 in pre-K debt has been paid, as shown in the **Chart**. Over three quarters of this amount (\$138,382) was from CPS employees due to either unpaid bills or under-reported income.

About \$10,000 in additional employee debt was referred to a debt collector, along with around \$710,000 in non-employee debt.

Understandably, the pause in debt collections has limited the amount of money recouped. Just

under \$36,000 of the amount referred to the debt collector has been paid – all by non-CPS employees. Of this amount, about \$27,000 went to CPS and about \$9,000 went to the debt collector as a commission.

Unfortunately, due to the age of the debts, more than \$280,000 in pre-K debt referred to collections by CPS has been closed and cannot be recovered. Over \$400,000 remains in collections and could still be pursued when CPS is able to lift its Covid-19 pause on debt collection.

The OIG's investigations of employees whose income was significantly under-reported on pre-K applications also led to disciplinary recommendations for six employees. One, an assistant principal, received a 10-day, unpaid suspension. The other five employees, all teachers, were issued Level Two Performance Improvement Plans. Another teacher whose income was under-reported was issued a Level Two PIP although the OIG did not recommend discipline in his case.

CPS no longer charges pre-K copays in the vast majority of its schools. These copays made up most of the unpaid money identified by the OIG Review. However, there are two remaining ["tuition-based programs"](#) in SY 2021-22, which are supported entirely by tuition.