



January 1, 2023

Fiscal Year 2022 Annual Report

Chicago Board of Education • Office of Inspector General

Will Fletcher,
Inspector General

@cpsoig

cpsoig.org
File a Complaint Online

773-48-FRAUD
Fraud and Misconduct Hotline

833-TELL CPS
Sexual Allegations Hotline

P: 773-534-9400
F: 773-534-9401
cpsoig.org
@cpsoig



January 1, 2023

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 2022, the period between July 1, 2021, and June 30, 2022.

I'm very proud of the impactful investigations, reviews and operational improvements that the CPS OIG performed and achieved in Fiscal Year 2022. Of particular note:

- In its fourth year of operations, the OIG's Sexual Allegations Unit has taken remarkable strides in the manner that it manages the large volume of complaints of adult-to-student sexual misconduct reported each school year. For Fiscal Year 2022, the SAU closed 300 more cases than the unit did in 2021, thanks in large measure to new procedures in the intake and assessment of complaints that were enacted late last year, the Board's investment of resources in the unit and the collaboration with partner CPS departments, notably the Office of Student Protections. The result was that, in 2022, the SAU made more determinative assessments about complaints more promptly than in any period in its four-year history;
- The number of ninth-grade students participating in Junior Reserve Officers' Training Corps (JROTC) declined sharply at certain neighborhood high schools where the OIG reported that 90 to 100% of freshmen were automatically enrolled in the program (in Fiscal Year 2021) without evidence of parent/guardian consent or notice to the students' families that JROTC is a voluntary program. The evidence, including interviews with personnel from the surveyed schools, indicated that schools lacking physical education instruction resources for all of its students was an indicator of automatic enrollment into the JROTC program (in Illinois, participation in JROTC counts towards the state's physical education requirement). As a result of the OIG's work, CPS has pledged resources to provide physical education to all CPS students. Follow-up work by the OIG's Performance Analysis Unit suggests that the district has

Chicago Board of Education 🍷 **Office of Inspector General**
567 W. Lake Street, Suite 1120, Chicago, IL 60661
File a Complaint at [CPSOIG.ORG](https://cpsoig.org)

enacted corrective measures in nearly all of the surveyed schools in the interests of equity and in response to our findings and recommendations;

- An investigation at an elementary school revealed that the school deliberately miscoded truant students as students who had transferred away from the school or were missing. The investigation led to a broader review of the district and found persistent problems with student transfer and “lost child” data districtwide. The OIG has previously reported on these types of cases where schools have miscoded students in this manner to mask chronic absenteeism; and
- The OIG’s continued monitoring of pandemic relief spending has included the OIG’s review of CPS’s skyrocketing use of Extra Pay as well as other findings on how the district has used and plans to use pandemic relief funding.

Once again, it is my honor to serve as the Board’s inspector general. Please feel free to contact our office with questions about the report and with any information about fraud, theft, wastefulness and adult-to-student sexual misconduct occurring within Chicago Public Schools.

Yours sincerely,

Will Fletcher

Will Fletcher
Inspector General

Table of Contents

| | |
|-------------------------------------------------------------------------|-----------|
| Section 1 – Office Overview | 1 |
| A. Mission and Budget | 1 |
| B. Training and Investigation Standards..... | 1 |
| C. Complaints Received in FY 2022..... | 1 |
| Section 2 – Pandemic Era Oversight | 6 |
| A. CPS’s Spending of Pandemic Relief Funds..... | 6 |
| B. Performance Review: Extra Pay Rules and Procedures | 9 |
| C. OIG Oversight of PPP Fraud by CPS Employees..... | 18 |
| D. Investigation of Purchase of Computers from Campaign Donor | 19 |
| Section 3 – Update: Performance Review of JROTC Procedures | 24 |
| Section 4 – Sexual Allegations Unit | 32 |
| A. Overview of the History, Evolution and Importance of the SAU | 32 |
| B. Cases Involving Criminal Charges..... | 41 |
| C. Other Cases Involving Grooming or Severe Sexual Misconduct..... | 46 |
| D. Other Sexual Harassment or Sexual Misconduct Cases..... | 57 |
| E. Cases Involving Other Misconduct..... | 62 |
| Section 5 – General Investigations Unit | 95 |
| A. Persistent Miscoding of Student Transfer and Lost Child Data..... | 95 |
| B. Employee and Student Residency Matters | 99 |
| C. Free and Reduced-Price Meal Eligibility Fraud | 104 |
| D. Stringing, Identity Theft, Timekeeping Fraud and Other Matters | 107 |
| E. Cases Involving Arrests or Criminal-Background Issues | 113 |

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 2022, the OIG's budget was \$6.54 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 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 2022

In Fiscal Year 2022, the OIG received 1,825 complaints alleging misconduct, waste, fraud and financial mismanagement at Chicago Public Schools, including allegations

CPS OIG FY 2022 Annual Report

of adult-on-student sexual misconduct and other misconduct by CPS employees and vendors.

Of the 1,825 total complaints received, the OIG opened investigations into a total of 725 cases (39.7%). Several factors restrict the number of cases the OIG can open and investigate, including a continuing focus on significant and often complex issues and 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 252 anonymous complaints, 13.8 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 2022.

[Table begins on next page.]

Type of Complaint Received FY 2022

| | | |
|------------------------------------------|-----|--------|
| Sexual Allegations (Total) ¹ | 470 | 25.75% |
| Touching: Less than Sexual Abuse | 81 | 4.44% |
| Grooming | 35 | 1.92% |
| Sexual Abuse | 33 | 1.81% |
| Sexual Act | 26 | 1.42% |
| Sexual Comments – in Person | 25 | 1.37% |
| Sexual Electronic Communication | 14 | 0.77% |
| Outcry About Past Conduct | 8 | 0.44% |
| Student-on-Staff Inappropriate Conduct | 4 | 0.22% |
| Failure to Report | 1 | 0.05% |
| Concerning: Other | 243 | 13.32% |
| Conduct Unbecoming | 139 | 7.62% |
| Residency | 131 | 7.18% |
| Mismanagement | 69 | 3.78% |
| Ethics | 57 | 3.12% |
| Tuition Fraud | 53 | 2.90% |
| Discourteous Treatment | 42 | 2.30% |
| School Safety/Security | 39 | 2.14% |
| Corporal Punishment | 35 | 1.92% |
| Violation of Board Policy | 32 | 1.75% |
| Bullying/Inadequate Response to Bullying | 30 | 1.64% |
| Discrimination | 30 | 1.64% |

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's Office of Student Protections.

CPS OIG FY 2022 Annual Report

Type of Complaint Received FY 2022

| | | |
|-----------------------------------------------------|----|-------|
| Falsification of Employment Records | 28 | 1.53% |
| Off-Duty Criminal Conduct | 24 | 1.32% |
| COVID 19 Failure to Follow Safety Measures | 23 | 1.26% |
| Retaliation | 22 | 1.21% |
| Fraudulent Leave of Absence | 20 | 1.10% |
| Failure to follow IEP/504 Policies/Procedures | 19 | 1.04% |
| Misappropriation of Funds | 19 | 1.04% |
| Fiscal Mismanagement | 16 | 0.88% |
| LSC Member Misconduct | 16 | 0.88% |
| Negligently Supervising Students | 16 | 0.88% |
| Falsification of School Records | 14 | 0.77% |
| Contractor Violations | 12 | 0.66% |
| Preferential Treatment | 11 | 0.60% |
| Residing Outside the School Boundary | 9 | 0.49% |
| Theft of Board Property | 7 | 0.38% |
| Inattention to Duty | 6 | 0.33% |
| Improper Licensure | 5 | 0.27% |
| On-Duty Criminal Conduct | 5 | 0.27% |
| Violation of Magnet and Selective-Enrollment Policy | 5 | 0.27% |
| Falsifying Attendance Records | 4 | 0.22% |
| LSC Election Fraud | 4 | 0.22% |
| Reporting to Work Under the Influence | 4 | 0.22% |
| Unauthorized Use of Board Property | 4 | 0.22% |
| Using Verbally Abusive/Aggressive Language | 4 | 0.22% |
| Violation of the Student Code of Conduct | 4 | 0.22% |

CPS OIG FY 2022 Annual Report

Type of Complaint Received FY 2022

| | | |
|---------------------------------------------------------------------------------------------------|--------------|----------------|
| COVID 19 Remote Learning Problems | 3 | 0.16% |
| Test Cheating | 3 | 0.16% |
| Unfit for Duty | 3 | 0.16% |
| Grade Changing | 1 | 0.05% |
| Misuse of CPS Tax Exempt Status | 1 | 0.05% |
| Transporting any Student Without Written Consent from the School and the Parent or Legal Guardian | 1 | 0.05% |
| Violation of Acceptable Use Policy | 1 | 0.05% |
| Other | 384 | 21.04% |
| | 1,825 | 100.00% |

CPS OIG FY 2022 Annual Report

SECTION 2 — PANDEMIC ERA OVERSIGHT

A. CPS'S SPENDING OF PANDEMIC RELIEF FUNDS

CPS has been allocated \$2.8 billion in federal pandemic relief funding, of which CPS has reported spending approximately \$1.26 billion (45%) through the end of FY 2022. To date, the OIG has conducted and reported on several investigations into questionable spending tied to the pandemic, reviewed CPS's spending oversight, and advocated for increased transparency from CPS regarding its expenditures. (See Annual Report 2021). As CPS enters its projected highest year of pandemic relief expenditures in FY 2023, the OIG intends to increase its focus on several key areas of pandemic relief spending.

In its FY 2023 budget, CPS provided the following breakdown of its past and expected federal pandemic relief expenditures by category:

| | FY 2020 | FY 2021 | FY 2022 | FY 2023 | FY 2024 | FY 2025 | Total |
|------------------------------------------------------------------------|--------------|---------------|---------------|---------------|---------------|---------------|-----------------|
| Operational supports & supplies + contingency | \$90M | \$61M | \$66M | \$96M | \$25M | - | \$338M |
| Academic recovery + SEL supports | - | - | \$97M | \$230M | \$200M | - | \$527M |
| School-level funding for district priorities + other local-level needs | \$6M | \$475M | \$460M | \$404M | \$382M | \$200M | \$1.927B |
| Total | \$96M | \$536M | \$623M | \$730M | \$607M | \$200M | \$2.792B |

Source: CPS FY 2023 Budget Book.

FY 2022 PANDEMIC RELIEF FUND EXPENDITURES

CPS budgeted \$1.06 billion in pandemic relief spending from the federal Elementary and Secondary School Emergency Relief Fund (ESSER) during FY 2023. As noted in the chart above, CPS's ESSER spending totaled \$623 million in FY 2022, less than originally projected.

Spending data published by the Illinois State Board of Education shows that the bulk of CPS's pandemic relief expenditures to date have gone toward employee salaries and benefits. CPS's FY 2022 budget projections specifically allocated \$178 million to fund school-based instructional positions, with the remainder of the budgeted funds set aside for areas such as "student re-engagement and school opening costs," and "school-based programmatic investments." Regardless of CPS's characterizations of the spending, however, most of CPS's FY 2022 pandemic relief spending took the form of payments to CPS employees. According to data from ISBE, CPS has spent

CPS OIG FY 2022 Annual Report

77% of its \$1.49 billion in pandemic relief funding expenditures to date on employee salaries and benefits.

During FY 2022, the OIG found that schools and CPS departments were spending atypically large amounts of budgeted funds on employee pay in the form of “Extra Pay,” that is payments to employees for work beyond the regular work day. The OIG conducted a performance review of CPS’s Extra Pay system, discussed below, which identified a number of recurring problems and a lack of internal controls. The OIG has also conducted a number of separate investigations into employee misuse of the Extra Pay system and will continue to monitor these payments for fraud and waste during the coming years.

Another major recipient of CPS’s pandemic relief funding has been technology vendors. CPS’s continuously updated CFO Emergency Expenditure Report,² which lists pandemic relief spending categories along with related purchase orders issued to vendors, notes that CPS has spent \$113,394,402 in estimated expenditures for technology through October 2022. Technology was among CPS’s most immediate needs at the outset of the pandemic, and much of this spending occurred on an emergency basis with little planning. As a result, the OIG has singled out technology spending for review, including an investigation of CPS’s purchase of more than 5,000 laptops for remote learning, which is summarized later in this section, and an ongoing review of CPS’s asset management of electronic devices and other physical inventory.

FY 2023 AND FUTURE PANDEMIC RELIEF FUND EXPENDITURES

CPS has allocated \$730 million in ESSER funding for use during FY 2023, all of which will come from the third round of ESSER funding, ESSER III. In last year’s annual report, the OIG noted that CPS’s spending plan for its \$1.79 billion in ESSER III funds, disclosed in 2021, contained only broad categories of spending such as “Districtwide Initiatives to Address Unfinished Learning” and “Programmatic Investments in Schools” that did not give an adequate picture of the expenditures planned for this spending.

CPS’s FY 2023 budget contains a more detailed breakdown of its expected use of ESSER funding in FY 2023, including a list of 21 specific “investments” that will be paid for out of this funding. These expenditures include \$100 million for early childhood programs, \$72 million for centrally-funded teacher positions, and \$45 million for instructional coaching and professional learning.

² CPS’s most recent CFO Emergency Expenditure Report is available on the CPS website at cps.edu/services-and-supports/covid-19-resources/covid-19-spending/covid-19-spending-august-1-2021-to-july-1-2022/.

CPS OIG FY 2022 Annual Report

Separately, the Illinois State Board of Education recently launched an ESSER Spending Dashboard, which provides real time information showing districts' spending on various categories and subcategories, but not spending on specific programs.³

More detailed information regarding CPS's plans for the \$1.79 billion of ESSER III funding that will be spent through FY 2025 is contained in CPS's ESSER III application, which was approved by the federal government in February 2022. CPS's application again shows that the majority of its future pandemic relief spending will ultimately go toward employee salaries and benefits. The application discloses that CPS intends to use over \$1 billion of its ESSER III funds (55%) for employee salaries and benefits, which will cover 11,312 existing and new employees.

Other anticipated pandemic relief spending of note in CPS's budget and application disclosures include \$125 million for after-school programs and \$107 million for extended day payments, two areas in which the OIG has found instances of fraud and waste in recent years.

CPS also discloses ESSER funding allocated to individual schools through the interactive school budget portal on the CPS website.⁴ The school budget data lists budgeted and actual spending of ESSER funds broken down into general categories of spending (District Initiatives, Targeted, Unfinished Learning, and Instructional Capacity).

This information represents an improvement in transparency compared to CPS's pandemic relief funding disclosures during the prior fiscal year. CPS is not yet, however, providing real-time data explaining ESSER expenditures as they occur or detailed school-level data showing how each school has used its ESSER funding to date.

As the OIG noted in its previous annual report, the extraordinary amount of one-time supplemental funding at issue requires coordinated oversight measures by not just the OIG and CPS, but federal, state, and local agencies as well. For its part, the OIG is currently pursuing several investigations and performance reviews relating to pandemic relief funding and will continue to ramp up its efforts to monitor this spending for waste and abuse as the district spends down its remaining \$1.5 billion of pandemic relief funds.

³ ISBE's ESSER Spending Dashboard is available at isbe.net/Pages/ESSER-Spending-Dashboard.aspx.

⁴ School budget data is available through CPS's interactive school budget portal located at biportal.efs.cps.edu/analytics/saw.dll?Dashboard.

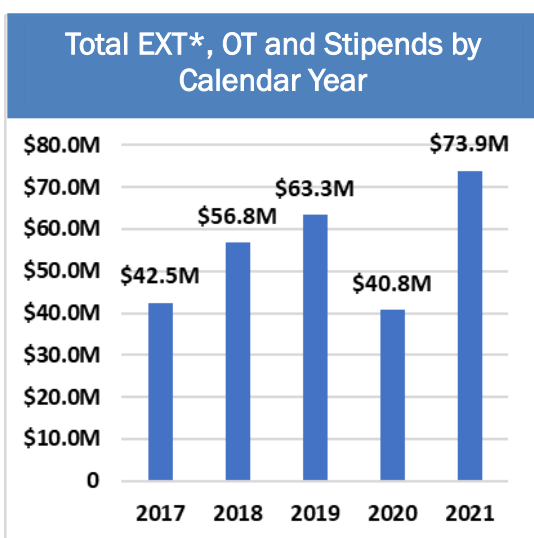
CPS OIG FY 2022 Annual Report

B. PERFORMANCE REVIEW: EXTRA PAY RULES AND PROCEDURES

OVERVIEW

New CPS precautions to prevent abuse of various forms of “Extra Pay” are imperative given the 74 percent hike in such compensation in the last five years and the likelihood these increases will continue, an OIG performance review has found.

During the 2021 calendar year⁵, CPS payments for the three most common types of Extra Pay – Extended Day (EXT), Overtime (OT) and Stipends – reached their highest level in five years, as indicated in the Chart entitled **Total EXT*, OT and Stipends by Calendar Year**.



* EXT reflects 19 of the most common job titles for teachers, clerks, security officers, SECAs and Teacher Assistants. OT and Stipends reflect all job titles.

Note: Covid-19 school closures began March 17, 2020, so 2020 and 2021 data may reflect effects of the pandemic.

Source: OIG Analysis of CPS Payroll Data for Calendar Years 2017-2021.

Stipend spending, in particular, spiked fourteenfold in five years.

This increase occurred amid what an OIG performance review determined was incomplete written guidelines for obtaining and documenting Extra Pay, poor training, no warnings of penalties for guideline violators, insufficient monitoring and inadequate technological safeguards.

Millions in Extra Pay have recently been covered with federal Covid-19 relief funding, and CPS could well spend millions more of such funding on Extra Pay in the years to come. Thus, establishing better controls on Extra Pay is crucial.

Excessive Extra Pay can be a red flag to possible fraud, an indication that legitimate Extra Pay opportunities are not being

equally or fairly distributed, or a sign that an additional position should be opened. But first, to assess all this, CPS needs to better monitor Extra Pay. Systematic CPS monitoring of excessive amounts of Extra Pay over extended periods of time does not exist, a performance review by the OIG’s Performance Analysis Unit concluded.

⁵ Charts in this report use calendar years. This allowed the OIG to present the most recent full year of data possible as the 2021-22 SY was not complete at the time of the performance review.

CPS OIG FY 2022 Annual Report

Auditors, the OIG and some CPS Finance officials have detected Extra Pay problems – including some recurring issues – yet adequate precautions involving Extra Pay have yet to be instituted.

A comprehensive, robust plan of action is warranted to govern the spending, documentation and monitoring of the three most common forms of Extra Pay analyzed in the OIG’s performance review:

- Extended Day, or EXT, which is issued to Chicago Teachers Union members for work before or after their regular school day;
- Overtime, or OT, which is most often issued to non-CTU members for work outside their normal scheduled hours; and
- Stipends, which are lump-sum payments to CTU or non-CTU members, usually for specific duties performed over an extended period of time.

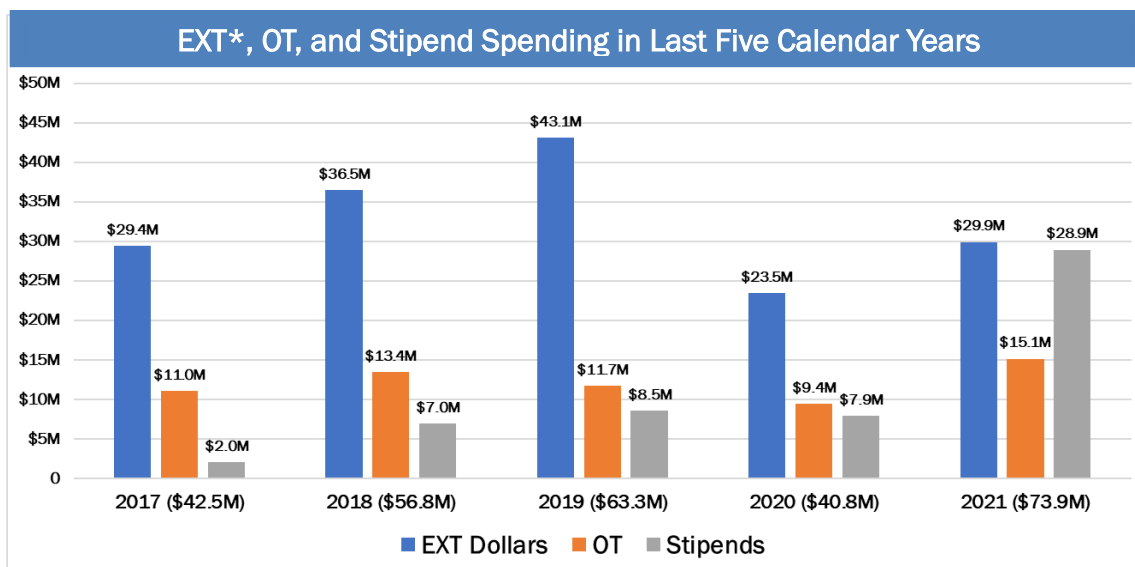
RISING EXTRA PAY SPENDING

An OIG analysis indicated the district’s expenditures on EXT, OT and Stipends dipped in Calendar Year 2020, when the Covid-19 pandemic closed schools as of March 17. However, in the following year such spending reached its highest level in the last five full calendar years, as shown in the chart entitled **Total EXT*, OT and Stipends by Calendar Year**.

In 2021, Extra Pay hit nearly \$74 million – a 17 percent increase from the most recent pre-pandemic calendar year of 2019. Over five years, Extra Pay jumped 74 percent – far more than the average teacher’s salary rose over a similar five-year period.

Stipend spending, in particular, skyrocketed, as indicated in the chart entitled **EXT*, OT and Stipend Spending in Last Five Calendar Years**.

CPS OIG FY 2022 Annual Report



*EXT reflects 19 of the most common job titles for teachers, clerks, security officers, SECAs, and Teacher Assistants. OT and Stipends reflect all job titles.

Source: OIG Analysis of CPS Payroll Data for Calendar Years 2017-21.

Pre-pandemic versus post-pandemic Stipend expenditures systemwide more than tripled, jumping from \$8.5 million in calendar year 2019 to \$28.9 million in 2021, the first full calendar year after Covid-19 closed schools in March of 2020. Over five years, Stipend spending surged fourteenfold.

Extra Pay patterns appeared to have changed after the CPS Chief Financial Officer and the Controller issued a Decision Memo in May 2020 stating that some non-CTU members had been incorrectly paid EXT instead of OT. This error meant that, in most cases, these employees had been underpaid – a move that may have saved their schools money.

This practice apparently had been going on for years. As a result, CPS eventually wound up paying \$3.14 million in retroactive OT⁶ to 4,344 non-CTU employees for a five-year time period ending June 30, 2021, according to CPS officials.

After district officials discovered this practice, as of March 2020 CPS blocked the system from paying out any EXT to non-CTU members. Instead, such employees were supposed to be paid OT. This may have contributed to the 2021 increase in OT, as well as the huge jump in Stipends that year. Some Payroll officials believe schools sought to use Stipends more frequently once they were banned from using EXT to pay non-CTU members.

⁶ This retroactive OT is not reflected in any OIG charts about OT spending, so it would not have contributed to the 2021 OT increase.

CPS OIG FY 2022 Annual Report

As an extra control, in July 2021, CPS transferred the power to open EXT and Stipend programs from school principals to Payroll, CPS officials said. However, Payroll officials started receiving and blocking requests to open Stipend programs for all sorts of “random things,” possibly in an attempt to bypass more stringent OT rules and processing, the OIG was told.

Also of concern to the OIG is the fact that CPS to date has used federal Covid-19 relief funds – known as Elementary and Secondary School Emergency Relief funds, or ESSER funds – to spend millions⁷ on Extra Pay. And much more ESSER money is on the way. CPS officials have estimated that the district will receive more than \$1.5 billion in ESSER money over Fiscal Years 2023, 2024 and 2025.

Any additional ESSER spending on Extra Pay also could increase the potential for Extra Pay fraud, misspending or errors, so an added layer of diligence is needed to ensure Extra Pay ESSER funds are spent properly.

Importantly, even before CPS started receiving ESSER money in 2020, Extra Pay totals were on a clear upward trajectory. Given CPS’s upward trend in Extra Pay spending, the large amount of remaining ESSER funds that will likely be spent in part on Extra Pay, and other recurring issues, the OIG believes it is critical that CPS institutes a set of new safeguards to prevent Extra Pay abuses.

PAST PROBLEMS

For years, the OIG and CPS Audit officials have observed the same issues involving Extra Pay among different employees in different CPS schools. These problems have been addressed via school-by-school corrective action plans or the discipline of individual employees.

Recurring Extra Pay issues detected in 2019 and 2020 school audits by the CPS Audit Department⁸ include:

- Extended Day pay without supporting paper timesheets which are supposed to be filled out by employees to document their EXT hours;
- EXT pay without any indication that employees clocked into the Kronos Timekeeper system – either by swiping an employee ID card or punching in an

⁷ For technical reasons, neither Budget nor Payroll were able to calculate how much EXT, OT and Stipend pay has been funded with ESSER money since 2020 but officials have provided some numbers indicating millions in ESSER funds were used on Extra Pay in 2021 alone.

⁸ At the time of the school audits cited in this report, the formal name of this department was Internal Audit and Compliance. As of June 2021, it became Internal Audit and Advisory Services. The term “Audit Department” is being used for this report.

CPS OIG FY 2022 Annual Report

- employee ID number — to document that employees were present at job sites during listed EXT hours; and
- o paper timesheets approved with a principal stamp rather than a principal's signature, creating the possibility that someone other than the principal improperly approved the timesheets.

CPS audits indicate documentation problems have occurred all over the district. However, for at least the last four school years, implementation of corrective action plans crafted by the Audit Department has not been monitored. Audit officials say they have not had the staffing to loop back and check for enforcement of corrective action plans, even at those schools with the worst audit evaluations.

In addition to all the above, since the 2019 calendar year the OIG has encountered cases with similar problems or additional issues:

- o Employees clocked in or out of Kronos for fellow employees, during both regular and Extra Pay hours, in a ploy sometimes known as “buddy punching.” Methods have included one employee punching in another employee's ID number that was dictated over a cell phone, contained on a piece of paper or transmitted by text. At one school, colleagues punched in a teacher's ID number on days when the teacher stayed home from summer school.
- o Internal school cameras were missing from a school where a clerk racked up more than \$100,000 in Extra Pay over five calendar years, preventing a confirmation by surveillance that the clerk was clocking herself in. For a buddy-punching scheme at another school, the Kronos machine was just outside the view of the camera.
- o An employee who received nearly \$150,000 in Extra Pay and other forms of supplemental pay over four years was clocked in at his school while, on certain occasions, casino records indicated he was visiting the casino.
- o This same employee was paid for working two different types of supplemental-pay jobs simultaneously.
- o A clerk paid herself more than \$15,000 in unauthorized Overtime and EXT over 13 months by using the principal's password to enter and approve her own Extra Pay.
- o Paper timesheets that are supposed to be maintained by schools to document Extra Pay mysteriously disappeared during OIG fraud investigations.

Additional individual cases of hefty Extra Pay are under investigation by this office.

CPS OIG FY 2022 Annual Report

OIG FINDINGS

As cited above, the OIG's performance review found that 2021 Extra Pay hit its highest level in five years and Stipend spending experienced a huge jump over that time. The OIG is concerned that upcoming federal Covid-relief funds could cause additional Extra Pay hikes.

This comes against the backdrop of numerous and repeated Extra-Pay issues detected by Audit, the OIG and even some CPS Finance officials. CPS instituted some improvements after discovering it had been incorrectly paying some non-CTU members EXT instead of OT, but more reforms are needed.

The OIG determined that CPS is suffering from a lack of clear, concise, updated and organized Extra Pay guidelines and an absence of written penalties or other corrective measures for violating those rules.

At the time of the OIG's performance review, Extra Pay rules and instructions – both current and outdated – were scattered across numerous locations in a variety of formats, many with multiple links in them and even links embedded in those links. This makes it difficult for employees to find a quick answer to a simple question and easy for employees intentionally trying to game the system to say they never saw a certain rule.

Stipend guidance was especially scarce. CPS had no detailed written rules or guidelines explaining who is eligible to receive Stipends, under what circumstances, how Stipend pay should be determined, and how Stipend pay should be verified. This was of special concern given the massive recent increase in Stipend spending and the fact that Stipend work cannot be documented by clocking in and out of Kronos.

No written guidance explained what clerks should do when they discovered a discrepancy between the hours listed on timesheets and the time reflected by Kronos timekeeping machines, or how clerks and principals were supposed to verify EXT hours on timesheets. Said one Payroll employee: "We don't have anything in training that talks specifically to discrepancies. So, they are not trained to deal with any type of discrepancies between an employee's timesheets and Kronos record-keeping."

After CPS's May 2020 memo, Payroll offered additional training, including reminders that Extended Day time should be reflected in Kronos. As another reform, Payroll took over the responsibility for opening EXT and Stipend programs from schools.

CPS OIG FY 2022 Annual Report

Even so, errors continued. The OIG found that more than a third of EXT hours paid to a random sample of frequent EXT earners⁹ over the last six months of 2021 were not adequately supported in Kronos.

Also problematic, in the OIG's view, is that Payroll was offering training to clerks and principals but not to Extra Pay-eligible employees. Instead, clerks have been expected to train Extra Pay-eligible employees on Extra Pay without any written guidance on how to do so or what to cover. The OIG believes all such employees need a uniform, documented training process as a first line of defense against errors and fraud. Leaving their training up to clerks is a questionable practice given that different clerks could provide different instructions.

CPS Extra Pay monitoring efforts also contained holes.

Although the Payroll Department runs monitoring reports every two-week pay period, there are no written rules on how many non-standard hours should trigger extra attention, the OIG was told. The main Payroll monitoring report does not identify employees who accumulate a large number of non-standard hours from multiple pay codes (such as both EXT and OT or Stipends) in a single pay period. It does not identify schools or departments with unusually high non-standard hours within a pay period. And it does not analyze excessive non-standard hours of individuals, schools or departments over a semester or year-long period, the OIG found. It appears more focused on detecting mechanical or entry errors.

Past audits of schools by the Audit Department were generally limited to EXT when, clearly, monitoring of Stipend and OT spending also is needed.

And, as mentioned previously, due to staffing shortages, at the time of the OIG's performance review, the Audit Department had stopped doing what it called "full-scope" school audits and, for four years, had not been conducting follow-up audits of problematic schools to ensure they were implementing Audit's corrective action plans.

Thus, neither Payroll nor Audit have been regularly checking if certain employees, schools or departments have experienced recurring excessive Extra Pay issues over large periods of time.

The OIG also found that the paper timesheet forms CPS employees used to seek EXT were inadequate for instilling accountability in that: they did not require employees to attest that the information they were providing about what extra hours they worked was correct; they did not remind employees that their EXT hours had to be reflected in the Kronos system; and they did not require clerks or principals to attest that they

⁹ The OIG defined a frequent EXT earner as an employee with at least 50 paid EXT hours between July 1 and December 31 of 2021. Twenty such employees were randomly chosen for this analysis.

CPS OIG FY 2022 Annual Report

had verified the information provided to the best of their ability. In other words, no one was required to take written ownership that they were following the rules.

In addition, clerks are not trained on how long to keep Extra Pay timesheets — forms that have repeatedly turned up as missing during OIG investigations. Some Payroll officials did not know how long such forms needed to be maintained.

Finally, the OIG had some technological concerns.

CPS does not require schools to train cameras on their Kronos timekeeping machines. This makes investigation of some time-fraud allegations difficult. The OIG has found some schools with no internal cameras; some with internal cameras but not in the Kronos area; and some with cameras in the Kronos area but not pointed at Kronos machines.

In addition, CPS's Kronos machines allow employees to clock in by punching in their ID numbers or swiping their ID cards. The punch-in method makes the current system especially vulnerable to fraud and has been more frequently observed in OIG time-fraud cases.

OIG RECOMMENDATIONS AND CPS RESPONSE

On June 28, 2022, the OIG issued a performance review on Extra Pay Rules and Procedures that outlined 10 Findings and 10 Recommendations. It requested a corrective action plan from CPS by August 9. On that date, CPS responded with a memo promising various actions, most of which it said would be explained in a November 30 Integrity Memo. However, the OIG later found that the November 30 Integrity Memo left several areas of concern unaddressed.

The OIG has since been in discussion with CPS officials and is reporting the following status of its recommendations as of mid-December:

Recommendation 1: Create a Set of Clear, Concise, Organized Guidelines with Listed Penalties.

CPS has agreed to update a 2012 online manual so it provides current guidelines about EXT and Stipends. OT will be handled separately as it is processed out of the Kronos system.

Recommendation 2: Restrict Stipend Use as Much as Possible.

According to CPS officials, in the future, all requests for Stipend pay must be pre-approved by the Payroll Department, which will then seek a second layer of approval from the CPS Talent Office. CPS also has created a Stipend timesheet that employees must sign, verifying that they have met all requirements to be eligible for the Stipends in question.

Recommendation 3: Require Employees to Clock In and Out for EXT and Summer School.

CPS is now requiring employees to clock in and out for EXT and advises them of this on the new mandatory EXT timesheet. Officials say Summer School pay has its own pay code that is paid out separately from other forms of Extra Pay.

Recommendation 4: Establish a Mandatory, Standard, Online Training Session on Extra Pay for Recipients of Extra Pay, Principals and Clerks. The ability of an employee to receive Extra Pay, of a clerk to process it, and of a principal to approve it should be conditioned on successfully completing the training.

CPS will be providing new training in January to clerks and principals. Payroll is currently gathering input on training materials from a group of clerks.

Rather than directly train Extra Pay-eligible employees, CPS will include a page of instructions on how to fill out Extra Pay timesheets in an “acknowledgements page” that will serve as the cover page to timesheets, CPS officials said. CPS will update the Employee Handbook to cover Extra Pay guidelines. And, when CPS employees are added to an EXT or Stipend program, they will get an automated emailed message about guidelines.

Recommendation 5: Issue Warnings about Consequences for Failure to Clock in and Out and Missing Timesheets.

CPS has created a set of graduated penalties for clerks, and in some cases principals, who violate Extra Pay guidelines. They will face:

- after the first violation, a reminder about guidelines, a list of best practices and how-to guides.
- after the second violation, an in-person meeting with Payroll to discuss findings and provide additional training. The employee’s direct manager will be alerted about this violation by email.
- after the third violation, clerks will lose access to Kronos processing and will be relegated to other jobs pending escalation to Labor Relations for possible discipline, up to and including dismissal.

The situation of other employees also may be escalated to Labor Relations.

Recommendation 6: Revise Timesheets to Encourage Accountability. Employees seeking Extra Pay, as well as the clerks who enter it into the system and the principals who approve it, should all be required to attest that the information they provided is correct – or correct to the best of their knowledge.

CPS OIG FY 2022 Annual Report

CPS plans to require employees seeking EXT or Stipends to sign an attestation that the information they have provided is correct or that they have met the requirements necessary to obtain a Stipend.

Recommendation 7: Improve Timesheet Storage. If possible, CPS should move to electronic storage of timesheets, which carry much more information than mere Kronos swipes if filled out properly, so they will be available to confirm swipes. Clerks should be trained on how and for how long to store timesheets.

CPS is exploring electronic timesheets and electronic storage.

Recommendation 8: Monitor Longer-Term Excessive Extra Pay Payments. Reports should be run every six months, or at a minimum annually, on all forms of Extra Pay paid to individual employees, schools and departments. Payroll or Audit could create a dedicated auditor to run excessive Extra Pay analyses and try to determine if excessive Extra Pay could be a result of fraud, poorly managed distribution of Extra Pay opportunities, human error or an indication that an additional position should be opened.

CPS is hoping Extra Pay audits, due to start in January, will help officials define “excessive” Extra Pay so they can conduct more robust Extra Pay audits. CPS officials say the CPS Finance Department will explore dedicating an auditor to various Extra Pay analyses.

Recommendation 9: Consider Requiring Video Surveillance of School Kronos Machines.

CPS will be bidding out its timekeeping functions so no decision on video surveillance will be made until this is completed. CPS officials are discussing whether new time clocks could include cameras, similar to the surveillance featured at some self-checkout stations in retail stores.

Recommendation 10: Consider Biometric Swipes or Other Timekeeper Upgrades.

CPS is researching possible upgrades as it prepares to bid out its timekeeping functions.

In conclusion, the OIG believes some CPS plans, as stated thus far, leave room for improvement. The OIG will continue to monitor this issue.

C. OIG OVERSIGHT OF PPP FRAUD BY CPS EMPLOYEES

The federal government’s Paycheck Protection Program (PPP) issued nearly \$800 billion in forgivable loans to help small businesses and self-employed individuals maintain payroll and keep workers employed after the onset of the Covid-19

CPS OIG FY 2022 Annual Report

pandemic in 2020. However, it has since become evident that the PPP experienced what the Small Business Administration Inspector General has referred to as “unprecedented fraud levels” within the program, with one academic study by University of Texas researchers suggesting that as many as 1.4 million PPP loans show indicators of possible fraud.

Unsurprisingly, inspectors general have identified PPP loan fraud by employees at a number of public agencies, and CPS is no different.

In Fiscal Year 2022, the OIG initiated a project to proactively identify PPP fraud by CPS employees. The OIG compared CPS employee data with PPP loan recipient data published by the SBA and found that approximately 900 salaried CPS employees had similar names and addresses with PPP loan recipients. The OIG further examined this data and probed into individual cases to determine whether specific employees actually obtained PPP loans and whether they did so fraudulently.

Of course, not all of the 900 employees identified engaged in fraud. Some were false matches and, upon further review, the OIG determined that the actual loan recipients were not CPS employees. Some may have obtained PPP loans legitimately, and some, for example, may have been victims of identity theft if their personal identifying information was stolen and used by others to obtain a PPP loan.

However, the OIG’s investigations so far suggest that many full-time, salaried CPS employees have engaged in PPP fraud. To date, the OIG has issued substantiated reports (after the Fiscal Year 2022 reporting period) to the Board for four employees who committed fraud, and many more PPP investigations are nearing completion. The OIG is engaged in discussions with state and federal law enforcement regarding the OIG’s PPP matters.

D. INVESTIGATION DOES NOT FIND THAT ELECTED OFFICIAL IMPROPERLY INFLUENCED CPS’S PURCHASE OF COMPUTERS FROM DONOR

An extensive OIG investigation (20-01591) did not find evidence that CPS’s purchase of more than 5,000 computers for remote learning from Vendor-Subject, a technology rental firm, violated Board rules or CPS policies. CPS first learned about Vendor-Subject after Elected Official A referred Executive A, Vendor-Subject’s owner/CEO and a campaign donor for Elected Official A, to CPS leadership. Elected Official A’s referral, which was reported in the media, raised concerns that she may have improperly influenced CPS’s decision to buy from Vendor-Subject.

Although CPS learned about Vendor-Subject from Elected Official A, the OIG did not find that her referral in fact influenced its decision to ultimately buy devices from the company. The OIG also did not find that the referral caused CPS to reject offers from other vendors or to intentionally or negligently purchase inferior or overpriced devices

CPS OIG FY 2022 Annual Report

from Vendor-Subject. The OIG did find, however, that Executive A failed to cooperate with this investigation by refusing to sit for an investigative interview despite his and his firm's obligation as a CPS vendor.

CPS RESPONDS TO THE ONSET OF THE PANDEMIC — EMERGENCY PURCHASING, REMOTE LEARNING, AND AN EXTRAORDINARY DEMAND FOR COMPUTER DEVICES

The events at issue in this investigation largely occurred in March and April 2020, as the full weight of the COVID-19 pandemic started to take hold in Chicago. On March 13, CPS announced that schools would close due to the pandemic. By the end of the month, however, CPS had announced that students would resume classes online on April 13.

In the month between these events, the Board granted CPS unprecedented emergency authority to purchase pandemic-related goods and services outside of the usual competitive procurement framework. At the same time, CPS faced an extraordinary demand for computers as it planned for remote learning. Based on enrollment numbers and a survey of principals, CPS figured it needed to distribute approximately 115,000 devices to students. Although CPS had tens of thousands of devices on hand, it needed many more to meet this need. Consequently, CPS purchased more than 50,000 devices between April 1 and June 30, 2020. Just over 90% of these came from CPS's usual, contracted device vendors, Contract Vendor 1 and Contract Vendor 2, while the rest came from Vendor-Subject.

ELECTED OFFICIAL A EMAILS CPS LEADERSHIP ABOUT VENDOR-SUBJECT

On the same day CPS announced the April 13 start date for remote learning, Executive A emailed Elected Official A and told her his company had devices available but did not specify if they were for sale, rental, or donation. Elected Official A and her staff connected Executive A via email to CPS leadership. In one such email, Elected Official A stated that Executive A is a "really good guy" who is "truly genuine and very generous." Over the next three weeks, CPS Information and Technology Services (ITS) department employees, including its senior leadership, communicated extensively with Vendor-Subject about its device inventory and ability to set up and deliver devices to CPS schools. ITS also connected Vendor-Subject to employees in CPS's Procurement department for onboarding. Finally, on April 24, 2020, CPS purchased just over 5,000 devices from Vendor-Subject.

Despite Elected Official A's referral, the OIG did not find evidence that she in fact improperly influenced CPS's decision to buy from Vendor-Subject at the start of the pandemic. The evidence, including extensive emails between ITS, Contract Vendors 1 and 2, and other technology vendors, shows that CPS faced an unprecedented demand for computers that Contract Vendors 1 and 2 struggled to meet due to prolonged product delivery times. The emails show that ITS leadership spoke with

CPS OIG FY 2022 Annual Report

several other large, non-contract vendors, but only Vendor-Subject appears to have been able to set up and deliver devices quickly and in sufficient quantities to meet CPS's needs.

CPS'S CONTRACTED DEVICE VENDORS STRUGGLE TO MEET ALL OF CPS'S NEEDS

Virtually all of the ITS and Procurement employees interviewed by the OIG spoke about the pressing need to acquire devices in March and April 2020, including thousands of devices for charter schools that asked for CPS's assistance late in the district's planning process for remote learning. ITS and Procurement also reported that while CPS ordered tens of thousands of devices from Contract Vendors 1 and 2, both struggled to supply them in a timely fashion.

Emails between ITS and both contract vendors largely corroborate what ITS and Procurement told the OIG. They show that Contract Vendor 2, and to a lesser extent Contract Vendor 1, struggled with prolonged lead times and shifting delivery schedules throughout April and May 2020. The emails also corroborate what ITS told the OIG about Vendor-Subject – CPS bought from the firm because it had available local inventory that could fill in the device gap caused by the contract vendors' long delivery times.

Emails and purchasing records also show that ITS used Vendor-Subject specifically to supply charters. According to purchase orders, CPS bought just over 5,000 devices from Vendor-Subject, roughly what ITS told the OIG the charters needed in Spring 2020. Over 3,000 of these devices were delivered between April 27 and 29, 2020, just days after CPS's purchase.

EVIDENCE DOES NOT SHOW THAT VENDOR-SUBJECT RECEIVED PREFERENTIAL TREATMENT

The OIG found no evidence that Elected Official A's referral resulted in CPS leadership exerting pressure to buy from Vendor-Subject or that the company otherwise received preferential treatment. Following Elected Official A's email to CPS leadership, the OIG did not observe any further communication between Elected Official A, her office, and ITS, or between others in CPS leadership and ITS. Two high-ranking CPS officials were included on some emails between ITS and Vendor-Subject, but they did not appear to engage in any significant way or attempt to steer ITS' decision-making. Instead, most communications between CPS and Vendor-Subject were between ITS leadership and various Vendor-Subject representatives, and focused on the firm's ability to provide suitable devices that could be quickly set up and delivered. ITS thus appears to have vetted Vendor-Subject's ability to provide devices to CPS and did not act as a rubber stamp for the deal.

CPS OIG FY 2022 Annual Report

The OIG also found no evidence that ITS rejected other vendors in favor of Vendor-Subject. In fact, throughout ITS' dealings with Vendor-Subject, it continued to negotiate and place additional, larger orders with Contract Vendors 1 and 2 and considered purchases from other large non-contract vendors. Ultimately, CPS purchased thousands more devices from its contract vendors. Emails show, however, that many of these devices were not delivered until after the end of the 2019-20 school year.

The OIG also did not find that Vendor-Subject received preferential treatment during its onboarding with Procurement. Under its emergency purchasing authority, CPS was not required to formally contract with Vendor-Subject, and records show that it didn't. This was not unusual. Procurement records show that CPS also did not contract with several other ITS emergency vendors, including many large, global firms. Similarly, the OIG did not find ITS' request to Procurement to "fast track" Vendor-Subject to constitute preferential treatment. Procurement employees told the OIG that it was not unusual for departments to tell Procurement certain vendors needed to be processed quickly, or "fast-tracked," to meet certain purchasing deadlines. Moreover, in Spring 2020, Procurement gave priority to COVID-19-related vendor purchases.

VENDOR-SUBJECT'S PRICES DID NOT APPEAR TO BE EXCESSIVE

The evidence also did not show that Vendor-Subject "price gouged" CPS. Although it was difficult to compare prices between the many new and used devices CPS bought from its vendors, the evidence suggested that Vendor-Subject offered CPS a reasonable discount, or prices that were only slightly higher than bulk-ordered devices from the contract vendors. Vendor-Subject's prices were also substantially lower than a rough quote CPS received from another large, non-contract technology company who CPS ultimately chose not to buy from.

SOME VENDOR-SUBJECT DEVICES WERE DEFECTIVE — BUT NO EVIDENCE THAT THEY WERE INTENTIONALLY OR NEGLIGENTLY PURCHASED

According to internal Vendor-Subject records, about 11% of the initial device delivery to CPS was ultimately replaced. Nevertheless, the OIG did not find evidence that these issues were due to ITS intentionally or negligently purchasing inferior devices from Vendor-Subject.

Emails showed that many of the devices Vendor-Subject sold to CPS did not meet the district's minimum device specifications. ITS leadership, however, told the OIG that this was because the devices were purchased for charter schools, which normally handle their own IT needs and do not need to follow CPS's specifications. In emails from April 2020, the OIG observed ITS employees noting that devices below CPS's minimum specifications — including from Vendor-Subject and another potential non-

CPS OIG FY 2022 Annual Report

contract vendor — wouldn't work for district-run schools but could be an option for charters lacking sufficient devices for the pivot to remote learning.

About 120 of the Vendor-Subject laptops did not have webcams, a fact reported in the media. During his OIG interview, one senior ITS employee took responsibility for the issue. In his own words, he “screwed up,” and ITS inadvertently purchased camera-less computers. The OIG did not find evidence suggesting that the employee or others in ITS intentionally or negligently purchased laptops without webcams, nor did it find evidence that ITS was pressured into buying the devices. Furthermore, the camera-less devices accounted for a small percentage of CPS's order from Vendor-Subject and were, according to ITS, replaced after CPS learned of the issue.

Emails also showed that some charter schools complained of other issues with the Vendor-Subject devices, including malfunctioning hard drives, dim screens, and power issues. Vendor-Subject, however, appears to have helped schools replace the devices even though CPS did not buy warranties for them.

EXECUTIVE A'S FAILURE TO COOPERATE WITH THE INSPECTOR GENERAL AND CONTRACT

Although Vendor-Subject's deal with CPS itself did not violate Board rules or CPS policies, Executive A's failure to sit for an interview did. As a CPS vendor, Executive A was obligated under the Illinois School Code and contractual language in Vendor-Subject's purchase orders with CPS to cooperate with this office. Early in the investigation, Vendor-Subject complied with an OIG document request and produced numerous emails and internal records relating to its business with CPS. When the OIG later requested an interview with Executive A, however, Executive A (through his attorney) insisted on several limiting conditions for the interview that the OIG would not agree to. Ultimately, Executive A did not appear for an interview following the OIG's final request. The OIG thus found that Executive A was noncooperative in this investigation.

LACK OF OIG COOPERATION LANGUAGE IN VENDOR 2'S CPS CONTRACT

The Illinois School Code empowers the OIG to investigate allegations or incidents of waste, fraud, and financial mismanagement by individuals and entities within the OIG's jurisdiction, including CPS contractors. To that end, the Code further provides that the OIG “shall have access to all information and personnel necessary to perform the duties of the office.” 105 ILCS 5/34-13.1(a), (b). Additionally, under CPS's debarment policy for vendors, businesses that refuse to cooperate with the OIG in an investigation may be debarred. Chicago Public Schools Policy Manual, Debarment Policy §401.6(2)(f) (adopted June 26, 2019).

CPS OIG FY 2022 Annual Report

When the OIG first requested an interview with Contract Vendor 2, it discovered that CPS's contract with the firm lacked language obligating it to cooperate with the OIG. Such language is common to CPS vendor contracts and purchase orders and is particularly important for high-dollar contracts such as CPS's agreement with Contract Vendor 2. Although Contract Vendor 2 ultimately cooperated with the OIG in this investigation, the lack of such contractual language nonetheless could create obstacles for future oversight of the district's vendors.

RECOMMENDATIONS

Despite Vendor-Subject's initial document production during this investigation, Executive A ultimately failed to sit for an investigative interview and answer clarifying questions about that material and his firm's business with CPS. The OIG thus recommended that Executive A and Vendor-Subject be debarred from any future business with CPS due to Executive A's noncooperation. To date, however, CPS has not initiated debarment proceedings against Executive A or Vendor-Subject.

The OIG also strongly recommended that the Board and CPS ensure that any current and future contracts with Contract Vendor 2 conform with Board requirements regarding the OIG's jurisdiction and include language obligating it to cooperate with the OIG. CPS's Law Department advised the OIG that it is pursuing this recommendation.

SECTION 3 — UPDATE: PERFORMANCE REVIEW OF JROTC PROCEDURES

The percentage of CPS freshmen enrolled in Junior Reserve Officers' Training Corps classes fell dramatically after the CPS OIG recommended a halt to the practice of automatically enrolling ninth graders in JROTC, a course that's supposed to be voluntary, a recent CPS OIG analysis showed.

In the eight CPS high schools where automatic JROTC enrollment had appeared most widespread in SY 2020-21, the total number of freshmen in JROTC tumbled 67 percent this school year — from 639 to 211 (see **Table** below on enrollment changes). This followed CPS's implementation of a series of reforms recommended by the OIG earlier this year.

Those reforms included special training on a new CPS policy that requires every high school, including those with JROTC programs, to offer all students Physical Education. Previously, some schools had been automatically placing freshmen in JROTC to satisfy the PE credit required for graduation, a performance review by the OIG's Performance Analysis Unit found.

CPS OIG FY 2022 Annual Report

In many cases, routing freshmen into JROTC allowed schools to save the cost of a PE position, which schools usually cover with their Student-Based-Budgeting dollars. In contrast, JROTC instructors are “free” to schools in that the cost of their salaries is shared by CPS Central Office and the U.S. Department of Defense.

**Enrollment Changes in JROTC Program Schools
with 90+% 2020-21 9th-Grade JROTC Enrollment**

| School | Has Attendance Boundary | 2020-21 9th Graders in JROTC | 2020-21 % of 9th Graders in JROTC | 2022-23 9th Graders in JROTC | 2022-23 % of 9th Graders in JROTC |
|---------------|-------------------------|------------------------------|-----------------------------------|------------------------------|-----------------------------------|
| A | Citywide | 20 | 100% | 7 | 39% |
| B | Yes | 84 | 100% | 29 | 27% |
| C | Yes | 63 | 100% | 4 | 15% |
| D | Yes | 120 | 100% | 10 | 9% |
| E | Yes | 77 | 98% | 16 | 21% |
| F | Citywide | 130 | 95% | 105 | 93% |
| G | Citywide | 103 | 93% | 17 | 13% |
| H | Yes | 42 | 91% | 23 | 68% |
| Total: | | 639 | | 211 | |

Source: OIG Analysis of 9th Graders with 1st Quarter Grades in JROTC: Excludes Military Academies.

JROTC’s goals include teaching students leadership skills and cultivating good citizenship. JROTC gets kids outside with weekly military-style drills, conducted in uniform. “You get to do fun things,” one student said.

The OIG found that JROTC enrollment at some schools was operating like a pre-checked box that freshmen had to actively seek to be removed from – or were never allowed to exit at all.

Many students told the OIG during its performance review that they enjoyed JROTC or grew to enjoy it – even though they had no choice but to take it. However, even some students who liked the class objected to not being allowed to choose between JROTC and PE.

“I didn’t like being forced to have the class,” one such student told the OIG. “JROTC is not for everyone. It should not be forced on people.”

CPS OIG FY 2022 Annual Report

In the wake of the OIG's performance review and CPS's latest reforms, it appears that more CPS schools are offering freshmen a choice between PE and JROTC in the 2022-23 school year, resulting in reduced JROTC enrollments.

WHAT PRINCIPALS SAY

CPS is not the only school district where students have been automatically enrolled in JROTC. A recent [New York Times article](#) found that dozens of schools nationwide have made JROTC mandatory or "steered" more than 75 percent of students in a single grade into it. However, CPS was the only district credited by the Times with launching an OIG review of the matter and with instituting reforms to try to prevent future automatic JROTC enrollments.

In the wake of those CPS reforms, the most dramatic change in freshman JROTC enrollment occurred in one South Side neighborhood school that went from 100 percent of freshmen taking JROTC two years ago – or 120 freshmen, to 9 percent this school year – or only 10 freshmen.

The principal at this school said he opened a PE position this school year, allowing him to offer more freshmen their choice of JROTC or PE. And, now that students no longer have to take daily remote classes to protect them from Covid-19, "students are requesting Physical Education," the principal said.

This principal was one of eight at schools where at least 90 percent of freshmen had been enrolled in JROTC in 2020-21, the most recent school year examined in an OIG performance review released this past spring.

Five of the eight principals at former 90+ percent schools recently told the OIG their JROTC enrollment dipped after they added a PE position, or at a minimum an extra PE class, during the last two school years. CPS officials said the district provided extra financial assistance to two of those schools.

One former 90+ percent school that didn't add a PE teacher saw 93 percent of its freshmen enrolled in JROTC this fall, a recent OIG analysis found. That's down only slightly from the 95 percent in 2020-21 that was reported in the OIG's performance review.

Based on the latest OIG analysis, CPS officials said they will be investigating the situation at this school.

"If the school has not followed our policy, the District will take corrective actions to ensure that it is in compliance," one CPS official told the OIG. "The full corrective action will be determined based on individual school and student circumstances."

CPS OIG FY 2022 Annual Report

At another former 90+ percent school, “this is the first year students had the choice [between PE and JROTC] and the majority chose gym,” the principal said.

Another principal said freshman JROTC numbers declined because ninth graders weren’t turning in new, more detailed JROTC parent consent forms that warn students they will not be allowed into JROTC without a parent’s signed consent.

“I don't think it had anything to do with the form itself,” this principal said. “It's just extremely hard to get students to bring back consent forms, period. This is not a JROTC issue; it's a cultural issue.”

Under new CPS procedures, schools must check an online box once students have handed in their signed JROTC parent consent forms, as well as upload those forms to an online folder. However, as of November 30, CPS monitors still were not clear whether 95 ninth through 12th graders (or 3 percent of all JROTC program students) had failed to provide signed forms, or if their schools had merely failed to check required online boxes. To resolve the issue, by mid-December CPS monitors were checking online folders for actual signed parent forms.

In light of these complications, one CPS official noted that CPS is just winding up its first semester of a series of changes intended to ensure that JROTC is truly voluntary.

“We expect some stumbles by local administration as the district implements the changes,” this official said. “The district is auditing schools for compliance and simultaneously building out timelines for next school year so that the ongoing administration of JROTC policies is smooth.”

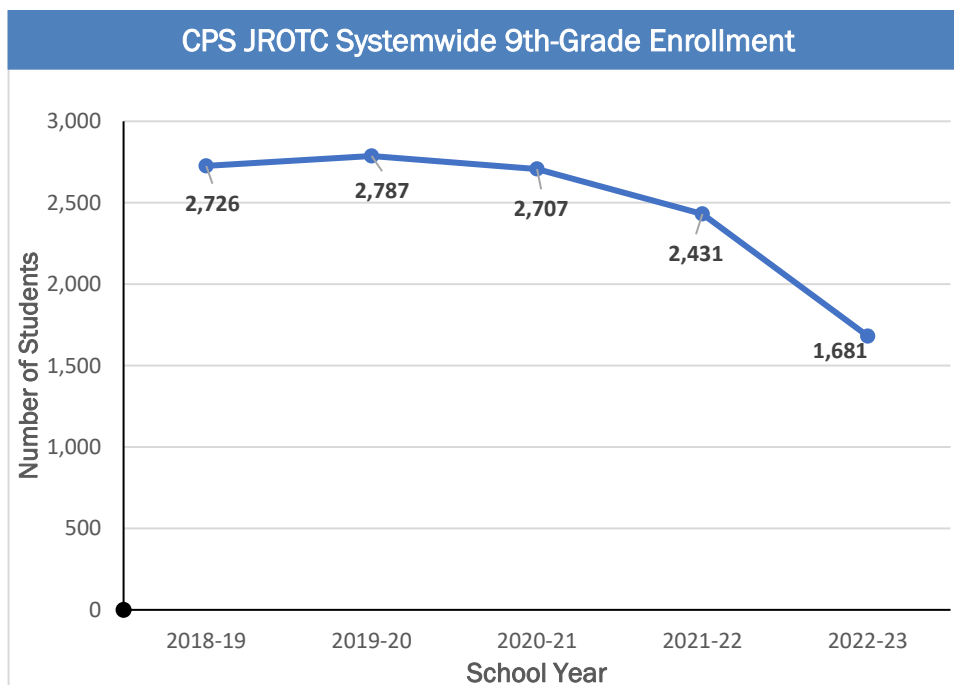
By the beginning of the Spring semester, JROTC students without signed parent consent forms will be “disenrolled” from JROTC, “absent some inability to do so,” the official said.

At another high school that once had 90+ percent of ninth graders enrolled in JROTC, the principal attributed this year’s smaller freshman JROTC enrollment to “a lack of promotion from the leaders in the [JROTC] program” as well as “the way the new procedures were communicated.”

The principal of another school that did not open a PE position this school year said the school has long offered freshmen both PE and JROTC. This year’s JROTC enrollments declined amid increased competition from several new electives and decreasing overall CPS enrollment, according to the principal.

CPS OIG FY 2022 Annual Report

Overall CPS enrollment has been slowly declining for several years. However, since CPS instituted its JROTC reforms, JROTC ninth-grade enrollment experienced a far steeper drop than ninth-grade CPS enrollment overall.



Source: OIG Analysis of 9th Graders With Final Semester Grades in JROTC (2018-19 to 2019-20) and First-Quarter Grades in JROTC (2020-21 to 2022-23); CPS 20th Day Enrollment. Includes CPS Military Academies.

Between 2021-22 and 2022-23, JROTC ninth-grade enrollment saw its largest decline in five years, of nearly 31 percent, as indicated in the **Chart** on CPS JROTC enrollment. During that same time period, CPS ninth-grade enrollment overall only declined 3 percent, a recent OIG analysis indicated.

Additionally, over the last year, one school dropped its JROTC program. This was a decision initiated by the school, not CPS, that was approved by the Local School Council, CPS officials said. The school had 45 ninth graders in JROTC before it closed the program. Its departure brought the number of CPS JROTC program schools to 36 this school year, down from 37 last year.

OIG PERFORMANCE REVIEW AND CPS REFORMS

CPS acted following a performance review issued March 9, 2022, by the OIG's Performance Analysis Unit concerning freshman JROTC enrollment practices and procedures through SY 2020-21. That report included 10 OIG recommendations. After the OIG received a list of planned CPS corrective actions in response, it released a public [Significant Activity Report](#) on the matter on May 18.

CPS OIG FY 2022 Annual Report

In preparation for this Annual Report, the OIG began assessing the implementation status of its recommendations, resulting in its discovery of the dramatic drop in this year's freshman JROTC numbers.

The OIG's initial review excluded CPS military academies, where JROTC is a foundation of the school and all students must take it all four years. Instead, it focused on neighborhood and citywide high schools that usually offered JROTC as a class available to any student.

The OIG found that some freshmen who were automatically routed into JROTC were surprised to learn they had to wear JROTC uniforms and participate in military-style drills once a week just to get their required PE credit. At some schools, including at least one neighborhood school, JROTC students were instructed to wear their hair a certain length and males had to be clean-shaven while in uniform.

Many former ninth graders from CPS high schools with 90+ percent freshman JROTC enrollment rates told the OIG they were scheduled into the program without any choice in the matter. "It was a mandatory class," said one student.

The OIG interviewed another student who was placed in JROTC in her neighborhood school even though she and her mother complained that their Jehovah's Witness faith prohibited the daughter's participation. The student said all freshmen were placed in JROTC that year at her school and following her objections, she was allowed to skip the JROTC uniform and drills. So, she said, she basically did "nothing" in class but got an A nevertheless.

During the OIG performance review, several principals said placing freshmen in JROTC saved their schools money because the JROTC instructors were not paid out of their school budgets. Some said they put their freshmen in JROTC in lieu of PE because they had difficulty finding a PE teacher. Others said automatic JROTC enrollment had been a practice at their school, or kids were just put there as a "placeholder" but they could opt out of it.

However, several freshmen at the same schools said they were never told they could withdraw from JROTC if they wanted. Explained one student at a neighborhood school: "They just put me in it." Another who asked for a change said she was told she would have to rearrange her entire schedule if she wanted to drop JROTC.

In response, CPS officials said all CPS high schools are required to offer all freshmen PE unless JROTC is an integral part of their school's model and clearly advertised that way, as is true at the district's military academies. All principals were reminded of this new CPS policy during special May training that will become an annual event, the OIG was told.

CPS OIG FY 2022 Annual Report

The OIG was particularly concerned that all but one of the schools with 90+ percent of 2020-21 freshmen enrolled in JROTC were on the South or West Sides. None were on the North Side – a situation that raised questions of equity.

An OIG analysis found that the smaller a high school's overall student enrollment, the stronger the chance of a high freshman JROTC enrollment rate. Schools with low building utilization rates also tended to be more likely to have high freshman JROTC enrollment rates.

During the OIG performance review, JROTC officials had insisted that signed JROTC parent consent forms proved that students were being admitted to the program voluntarily. However, not one of the former 90+ percent schools was able to produce all OIG-requested copies of a random sample of signed parent consent forms. Two instructors said the forms had been “destroyed” or “cleaned out” due to Covid-19. Meanwhile, some students and parents told the OIG they never received such forms.

This year, following OIG recommendations, principals have been directed to maintain online copies of those forms at their schools. CPS has used the forms to explain JROTC in greater detail to parents before they consent to let their children participate in JROTC. This followed OIG observations that the most common version of the previous form contained so little information about JROTC that it constituted “uninformed consent” if signed.

Also since the OIG's performance review, JROTC personnel have been trained on CPS student record retention rules. Top JROTC officials had been unfamiliar with CPS policies on preserving student records, such as JROTC parent consent forms, and of CPS requirements to only dispose of such records in certain ways and only after specified time periods.

LEADERSHIP CHANGES

To ensure that JROTC leadership has a firm grasp of CPS policies and procedures, CPS will be adding a new civilian executive director of JROTC, one CPS official said. The position will be funded solely by CPS.

“We feel it's important they understand CPS policy and understand working with networks and CPS principals,” this official said.

Previously, a retired Army officer had jointly filled the No. 1 and No. 2 CPS JROTC positions – executive director of JROTC and director of military instruction. That retired Army officer has since left CPS, and his former role as director of military instruction also is due to be filled. It will be funded solely by the military.

CPS officials provided a May 2022 training for principals on JROTC which emphasized that JROTC is a voluntary program that cannot be used as a “Physical Education opt-

CPS OIG FY 2022 Annual Report

out.” Principals were told all high school students must be offered PE, in keeping with [a new CPS PE policy](#) that went into effect this school year. CPS officials said all schools should have the budget to afford PE classes, although principals would be allowed to request extra funding for it.

Other reforms recommended by the OIG that have since been instituted by CPS include:

- The development of a universal JROTC consent form that summarizes the goals and uniform requirements of JROTC. It is supposed to be signed by parents and students prior to enrollment. Previously, different schools used different forms and maintained them erratically.
- Training principals on the “tenets, vision and goals” of JROTC, as several had told the OIG they would like to know more about the program.
- Emphasizing the importance of enrolling students in JROTC classes in a prescribed order and training counselors on required JROTC prerequisites. This change occurred after the OIG revealed that students were taking JROTC out of sequence, even though JROTC Cadet Command instructions call for courses to be “properly sequenced and progressive in nature.” For example, the OIG found a student who started JROTC freshman year with a JROTC III course, followed by JROTC IV in sophomore year and then JROTC II as a junior. Another student started JROTC in sophomore year with a JROTC III course, followed by a JROTC II course junior year. CPS plans to monitor out-of-sequence JROTC classes.
- Allowing principals to meet with new military instructors before they begin teaching at their schools. This followed a handful of complaints to the OIG that principals had no input on which military instructors they received.
- CPS monitoring of: the total number of students enrolled in JROTC by school; the percentage of ninth graders enrolled in JROTC by school; and the proportion of students with disabilities in each JROTC program versus the school as a whole. One school whose JROTC program was composed of 54 percent special needs students in 2020-21 has since reduced that number to 31 percent, an OIG analysis showed.
- CPS reassessed and adjusted its JROTC salary schedule after the OIG pointed out that, unlike at two other large school districts contacted by the OIG, CPS’s JROTC salary schedule did not follow the teachers’ union’s salary schedule. CPS officials could not explain what their JROTC salaries had been based on.
- The OIG had recommended that CPS monitor the average number of students per JROTC instructor as some instructors were seeing, on average, as few as a

total 16 or 17 students the entire school day. However, one CPS official noted that any decision to close a JROTC program based on average instructor caseload must be made carefully because once the district loses a JROTC school program, it's very difficult to get it back. A discussion of closure must be balanced against the popularity of the program in the school's community, this official said.

"This has been many, many hours of trying to get this right," the official said. "This is something we support – making sure [JROTC] is a documented choice for some students. I feel we are moving in the right direction."

SECTION 4 – SEXUAL ALLEGATIONS UNIT

A. OVERVIEW OF THE HISTORY, EVOLUTION AND IMPORTANCE OF THE SAU

Since its inception in October 2018,¹⁰ the OIG Sexual Allegations Unit (SAU) has grown exponentially into a team of more than 30 uniquely qualified staff responsible for handling hundreds of sexual misconduct allegations per year. The SAU was, and remains, the only independent investigative body in the nation with jurisdiction over a broad range of sexual misconduct complaints and related allegations involving K-12 school-based staff and students.

In 2022, the SAU closed more than 600 cases – over 300 more than it closed in 2021 – marking a period of significant progress for the unit. The SAU has implemented strategic changes to manage its extraordinarily high case volume without compromising the quality of its investigations (outlined further below). The unit remains dedicated first and foremost to prioritizing student safety, while conducting fair and thorough investigations that respect the rights of victims and subjects alike.

Coinciding with the OIG's formation of the SAU, the District created the Office of Student Protections and Title IX (OSP) to oversee certain other investigations, and coordinate student supports and training initiatives across the District. CPS has also overhauled policies applicable to the SAU's investigations, including those relating to child abuse reporting obligations, electronic communications with students, and sexual harassment, and issued the Guidelines Regarding Maintaining Professional Staff/Student Boundaries that identified additional types of unacceptable conduct. Allegations implicating these broadened policies were directed to the SAU,

¹⁰ On June 27, 2018, at the OIG's request, the Board signed a Resolution giving the OIG responsibility for all adult-on-student sexual misconduct allegations, to take effect on October 1, 2018.

CPS OIG FY 2022 Annual Report

significantly expanding its case volume beyond clear allegations of adult-on-student sexual misconduct.

Unlike traditional offices of inspectors general that have discretion over the allegations they will investigate, the SAU opens a case for every allegation it receives. This includes anonymous allegations, those offering minimal details or names, allegations of “creepy” behavior towards students, and other similar allegations that can be difficult to investigate. Some of the SAU’s more serious substantiated investigations started with allegations like this. Were it not for the SAU and OSP, many of these allegations would not be reported, much less investigated.

While the volume of allegations and the number of substantiated cases of sexual misconduct understandably causes concern within the District and impacted school communities, there is no indication that the frequency of these occurrences is higher within CPS than in other districts nationwide.¹¹ The volume of complaints indicates that stakeholders within CPS are identifying, and reporting, potential sexual misconduct. Further, because of the commitment made by the District and the work of the SAU, CPS has become increasingly able to identify, investigate, and eliminate misconduct occurring within its schools to better protect its current and future students.

Over the past four years, the SAU’s accomplishments have been significant. It has opened 1,735 cases following allegations reported by students, alumni, parents, staff, and others. Of those, it has closed a total of 1,384 cases raising concerns of adult-on-student sexual misconduct, and substantiated policy violations in 302 investigations. At least 16 subsequent criminal charges have been filed against CPS-affiliated adults for sex-related crimes by prosecuting agencies.

The unit’s highly trained staff is equipped to investigate varied potential sexual misconduct allegations, including sexual assault and abuse, sexual harassment under Title IX, delayed outcries from former students, grooming behaviors, and other concerning conduct that raises sexual misconduct concerns. The variety of allegations investigated by the SAU is reflected in the summaries of its substantiated reports from Fiscal Year 2022 in the subsections below.

Although not individually summarized in this report, equally important are the hundreds of full investigations that resulted in unsubstantiated findings since 2018, because they reflect the OIG SAU’s commitment to investigating and accounting for those instances where sexual misconduct was not uncovered. Through its

¹¹ The SAU is not only the sole centralized K-12 investigative unit in the country to handle such a broad range of allegations, it is also the only entity that issues public reports on its complaint volume and outcomes, and summarizes its substantiated findings. As such, reliable statistics from other school districts are simply not available.

CPS OIG FY 2022 Annual Report

investigations, the SAU gives students, parents, staff, and administrators an opportunity to have their concerns heard and evidence assessed in an impartial manner, regardless of the outcome.

EVOLUTION OF THE SAU

The SAU took over adult-on-student allegations on October 1, 2018, and was immediately flooded with complaints. The volume was largely attributable to allegations of nonsexual conduct that raise the appearance of impropriety or other grooming concerns that were first addressed in the 2018 Guidelines Regarding Maintaining Professional Staff/Student Boundaries.¹² Examples of these types of complaints include staff members driving/calling/texting a student, buying gifts for a student, making a student uncomfortable through perceived staring or invasion of personal space, and otherwise showing an inordinate amount of attention to a student.

By the end of its third month, the Unit had assigned almost 130 investigations to six newly hired investigators. Guided by its mission to conduct fair and thorough investigations that prioritize student safety, the SAU handled a wider array of allegations than had ever been reported before. By the end of its first year, the SAU had opened over 500 new cases that implicated conduct proscribed by the expanded CPS policies.

The influx of allegations continued as the SAU was ramping up operations, hiring and training new staff, establishing relationships with partner agencies across the city, collaborating with OSP, creating and drafting policies and procedures, participating in Statewide legislative efforts pertaining to school-based abuse allegations, providing input to the District on policy revisions, and training SAU staff on wide-ranging topics from data analysis to conducting trauma-informed interviews of youth. As the SAU continued to refine its operations, 2020 brought the global pandemic and sweeping changes to Title IX regulations, which each presented new obstacles to overcome.

The high volume of complaints persists, likely driven in part by the District's ongoing training efforts and high-profile SAU investigations covered by the press, both of which remind staff to remain vigilant and comply with their reporting obligations.

THE EXTENSIVE NATURE OF SAU INVESTIGATIONS

The SAU is committed to conducting thorough and impartial investigations of potential sexual misconduct allegations in a timely manner. Completed investigations

¹² The Guidelines went into effect in late 2018, and have since been revised and eventually included as part of the CPS Reporting of Child Abuse, Neglect and Inappropriate Relations Between Adults and Students policy.

CPS OIG FY 2022 Annual Report

result in written summary reports, including for allegations that are not substantiated. The OIG notifies CPS when an investigation raises concerns for student safety, so the District can decide whether the staff member should be removed from school pending further investigation. Similarly, OSP is aware of the students involved in SAU investigations so it can coordinate appropriate supports and interventions.

The length of the investigative process is case-specific and depends on the complexity of the allegations, the amount of evidence to be collected or subpoenaed (and the timeliness of the subpoena response), investigative leads that exist at the outset (e.g. anonymous allegations), the number of witnesses to interview and their cooperation (and the responsiveness of students' parents), whether the police and/or DCFS is also involved, and many other factors.

The SAU frequently issues subpoenas for cell phone records, social media account information, police reports, financial records and other documentary evidence. This information has proven to be of critical importance in the SAU's investigations but can often cause delays that are beyond the SAU's control. Analyzing thousands of pages of bank or phone records can also be a tedious process, but frequently provides essential information. Commensurate with the nature of the allegations, some of the SAU's more complex or serious investigations can involve dozens of interviews, numerous subpoenas, and reviews of extensive records.

In 2022, the SAU opened almost 450 cases. Many of the cases would not be addressed at all in other school districts, or would be triaged to school staff or administrators, district officers, or third parties for handling depending on the severity of the allegation and available resources. Within CPS, trained SAU investigators handle all potential sexual misconduct allegations in a consistent and impartial manner with the benefit of many tools not available to most other school-based staff.

THE OIG'S STRATEGY FOR MANAGING THE VOLUME AND COMPLEXITY OF SAU INVESTIGATIONS

As SAU leadership worked to build capacity and create the nation's first independent investigative body handling these types of school-based adult-on-student sexual misconduct allegations, they quickly realized that more resources were needed, and District leadership and the Board of Education agreed. Since 2018, the SAU has made strategic, evidence-based decisions to add capacity at certain points of its investigative process to improve the efficiency and timeliness of investigations. This includes adding teams of case intake personnel, staff attorneys, and investigation specialists, along with more investigator and management positions.

The SAU has also identified sustainable strategies for keeping pace with the volume of complaints without compromising the detailed investigations expected for

CPS OIG FY 2022 Annual Report

allegations of potential adult-on-student sexual misconduct. Relying on its growing body of institutional knowledge and expertise, the SAU has implemented new initiatives and procedures, including the following:

- A team of Investigative Specialists now conducts an initial assessment on allegations that do not clearly articulate adult-on-student sexual misconduct. This typically includes several interviews (e.g. of the complainant(s), involved student(s), and/or administration), a review of any available evidence, and research regarding previous complaints involving the staff member. The additional information helps determine whether the allegations require a full SAU investigation and, if not, what the appropriate next steps should be.
- The SAU has increased its referrals, both after the initial assessment and mid-investigation, when the evidence indicates that there is no allegation of sexual misconduct. This has allowed the SAU's highly trained investigators and attorneys to focus their efforts on potential adult-on-student sexual misconduct, while helping bring faster resolution for everyone involved for nonsexual allegations. For example:
 - When appropriate, staff accused of making an insensitive or inappropriate remark or making students uncomfortable through classroom interactions (e.g. invading personal space, looking at students in a "creepy" way) may be referred to the Office of Student Protections for additional training in lieu of a full OIG investigation. This process helps address the student's complaints faster than a full investigation, while providing guidance to the staff member and resolution for their school's administration. If that same individual is the subject of a subsequent complaint, the SAU factors the initial allegation into their determination of how to address that new complaint.
 - Allegations of unspecific touching or inappropriate contact are often routed to the SAU, but the initial assessment may reveal that the alleged misconduct was corporal punishment, accidental, or otherwise not sexual. These allegations are referred to the appropriate department within CPS or the charter network.
- Teams of uniquely qualified investigators have been created to handle investigations involving teachers who have been suspended pending investigation and Title IX investigations. These allegations are often serious and require a robust and extensive investigation. The investigators handling these cases have smaller caseloads, enabling them to work faster towards a resolution.

CPS OIG FY 2022 Annual Report

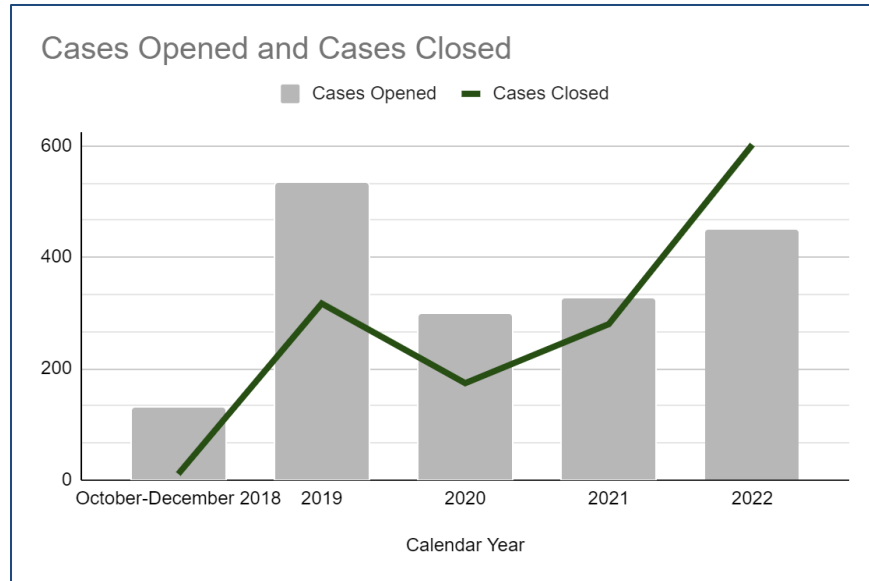
- An Intake Team was formed to promptly field and respond to every new complaint and collect and document all immediately available information.
- Summary Investigative Reports have been made more succinct, while still reflecting the complexity of the evidence and severity of the allegations.

SIGNIFICANT PROGRESS MADE IN 2022

There are positive indications that the procedural changes addressed above have started to lift the strain felt within the SAU and across the District as a result of quick accumulation of complaints reported to the SAU. As a result, there are far fewer open investigations than in previous years, and they are being handled by a larger team of investigators, chief investigators, and attorneys who have collectively amassed extensive SAU-specific experience.

In 2022, the SAU was able to close 322 more cases than it closed in 2021. This progress has been steady and consistent; the SAU closed more cases than it opened in eight of the last twelve months. The table and chart below show the progress made by the SAU over calendar years.

| Calendar Year | Cases Opened | Cases Closed | Difference |
|---------------------|--------------|--------------|------------|
| 2018 (Oct.-Dec.) | 129 | 11 | +118 |
| 2019 | 533 | 317 | +216 |
| 2020 | 299 | 174 | +125 |
| 2021 | 325 | 280 | +45 |
| 2022 | 447 | 602 | -155 |
| Total | 1,733 | 1,384 | +349 |



HARNESSING THE SAU'S DATA AND INFORMATION TO HELP PREVENT FUTURE MISCONDUCT

Through its position as the centralized investigative body for potential adult-on-student sexual misconduct within the District, the SAU has amassed a growing body of data and other information that it has used to help the District prevent sexual misconduct. For example, in April 2019, the SAU notified the Board of Education that charter networks were likely under-reporting sexual misconduct allegations to the SAU. The District took action through training and other measures, and this disparity is not a current concern.

Similarly, the SAU publicly reported that security guards were over-represented in its investigations in 2019, with the SAU investigating almost 4% of guards in the District at that time. The District responded with targeted training and changes to the hiring process, and by January 2020 the incident rate for security guards had dropped considerably. Moreover, for the last year, the SAU and OSP have been meeting regularly to discuss potential systemic concerns based on the SAU's objective and subjective observations - such as an increase in complaints with a specific job category or concerns about mismanagement within a specific school - and ways to address those concerns.

Beyond relying on data, the SAU has also identified patterns based on observations from across its investigations. For example, the SAU noticed that several individuals being investigated had lengthy criminal records that made them ineligible to work within schools, and others had been designated as "Do Not Hire" by the District. The SAU's research revealed that certain charter networks were using vendors whose employees had not been properly vetted in accordance with the background check

CPS OIG FY 2022 Annual Report

agreements between the charter networks and the District. The OIG alerted CPS leadership, citing specific examples from SAU investigations, so this issue could be addressed expeditiously.

SAU'S IMPORTANT ROLE WHEN CRIMINAL CONDUCT DOES NOT RESULT IN CRIMINAL CHARGES

Several CPS-affiliated adults have been criminally charged and ultimately convicted for sexual misconduct directed at CPS students and other minors. The SAU also investigates these allegations, and issues its own reports summarizing its findings.

Beyond those cases, the SAU has investigated many other allegations that do not lead to an arrest (or conviction) despite the criminal nature of the conduct. In these cases, the SAU's investigation may be the only avenue through which the offender may face any consequences for their conduct.

The SAU works under a preponderance of the evidence standard and uses its administrative and statutory authority to pursue information and evidence of CPS policy violations. As a result, the SAU often continues its investigation after law enforcement, working under a higher burden of proof, has suspended or closed its investigation. In at least one instance noted below, the SAU uncovered evidence of sexual abuse that prompted law enforcement to reopen its investigation, leading to charges and a conviction.

Beyond the higher burden of proof in the criminal justice system, there are several reasons why conduct the SAU determines to be a criminal violation does not result in criminal charges.¹³ For example:

- **Victim Denies Abuse:** Case 19-00526 (discussed in more detail in the OIG's Fiscal Year 2020 Annual Report): The OIG found that a Special Education Teacher groomed an eighth-grade student and ultimately had sexual intercourse with the student. The CPD and DCFS investigations were suspended in part because the student initially denied having any inappropriate contact with the teacher. The SAU continued investigating and uncovered 12,000 calls and texts between the teacher and student over a period of seven months. When asked about the communications, the student disclosed to the OIG that they had sexual intercourse with the teacher at her apartment on two occasions. The OIG notified CPD about the disclosure, and

¹³ The SAU understands the complexity of the criminal justice system and the myriad reasons why sexual abuse or assault allegations may not be pursued. It also recognizes that there are countless reasons why students and/or their guardians may not participate in or cooperate with a police investigation or criminal prosecution. The OIG takes no position on these matters, but is instead highlighting the SAU's role when potential criminal conduct does not result in charges.

CPS OIG FY 2022 Annual Report

- the teacher was charged and ultimately pled guilty to one count of criminal sexual abuse.
- **Delayed Outcry:** Case19-00655 (discussed in more detail in Section 4.C. below): The OIG’s investigation determined that a current CPS elementary school teacher inappropriately and sexually touched a CPS student between 1996 and 1999 when the student was approximately 11 to 14 years old. The former student alleged that the teacher repeatedly sexually abused him, but did not report these allegations at the time of the abuse. CPD did not open an investigation because the victim was over 18 years old at the time of his outcry; it is unknown whether the victim has filed their own police report.
 - **Conduct Determined to be Non-Criminal:** Case 20-01013 (discussed in more detail in Section 4.C. below): The OIG found that a high school teacher engaged in a systemic pattern of grooming behaviors with five female students from 2014 through 2020. The teacher pressured the students into sexual acts (including kissing a student in the teacher’s classroom), solicited sexual acts from them, and sexually harassed them with overtly sexual comments, frequent telephone calls and social media communications, and inappropriately intimate physical contact. CPD investigated some of the allegations but determined that the student’s disclosures did not rise to the level of criminal conduct, and CPD was unable to contact another involved student.
 - **Victim Unavailable or Uncooperative:** Case 19-00312 (discussed in more detail in the OIG’s Fiscal Year 2021 Annual Report): An OIG investigation established that a high school sign language interpreter had sexual contact with a 17-year-old student. The student and interpreter colluded and falsely denied the allegations to DCFS, CPD, and the OIG. However, the OIG compiled voluminous evidence demonstrating that the two had prohibited sexual interactions while the student was enrolled in CPS. 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. However, CPD declined to reopen its investigation based on the additional evidence.
 - **Jury Acquits Under Higher Burden of Proof:** Case 20-00335 (discussed in more detail in Section 4.B. below): A jury acquitted a high school teacher on 12 felony counts of Criminal Sexual Assault/Abuse under a beyond a reasonable doubt standard of proof. However, an OIG investigation substantiated findings by a preponderance of the evidence standard that he had groomed a seventeen-year-old female student at the high school, sexually

CPS OIG FY 2022 Annual Report

assaulted her twice during the CPS labor strike in the fall of 2019, and sexually assaulted her a third time during the 2019-20 winter break.

These cases illustrate the important role the SAU's investigations can serve when criminal conduct does not lead to criminal charges, especially when the accused staff member is still employed within the District. This is also the case for conduct such as sexual harassment and other noncriminal sexual misconduct that has no place in K-12 schools.

A substantiated finding of sexual misconduct following an SAU investigation can carry serious consequences for the staff member, including but not limited to the following:

- Termination of their employment and being designated as ineligible for rehire within the District;
- Suspension and/or revocation of professional licenses issued by the Illinois State Board of Education and other licensing bodies;¹⁴
- Sharing substantiated findings with potential future employers (see 105 ILCS 5/22-94(e) (CPS is required to respond to a request from another school district for information regarding whether an individual had a substantiated sexual misconduct allegation made against them or left CPS after such a sexual misconduct allegation was made)); and
- Reporting additional allegations and evidence to the police and/or DCFS for further evaluation of potential criminal charges.

B. CASES INVOLVING CRIMINAL CHARGES

- *High School Teacher Groomed and Sexually Assaulted a Female Student (20-00335)*

An OIG investigation determined that a teacher groomed and sexually assaulted a 17-year-old student on three occasions. The Cook County State's Attorney's Office charged the teacher with multiple counts of criminal sexual assault. The case went to trial in November 2022, and a jury acquitted the teacher on all counts.

The student provided detailed accounts of the three separate instances of sexual assault, and her allegations were in part corroborated by text messages on the CPS-sanctioned Remind app, Snapchat records, and a student witness who overheard a conversation between the teacher and student. The teacher's own statements in the Remind messages also corroborated that the teacher engaged in sexual assault of

¹⁴ See also, OIG Fiscal Year 2021 Annual Report at pages 30-33 (discussing ISBE licensure proceedings in criminal and non-criminal contexts).

CPS OIG FY 2022 Annual Report

the student. Specifically, when the student mentioned that she was going to disclose the sexual abuse, the teacher responded, “Please no.....” and “we r talking about my entire life here.....Please... I’m begging u....”

Prior to the sexual assaults, the teacher groomed the student by establishing an emotional connection with her and breaking down her inhibitions. She said that she began to think of him as her friend and therapist. The teacher would make remarks about the student’s hair and body, saying things like, “I like the way you look in your jeans.” The teacher also touched and groped the student while hugging her, touching her thighs and buttocks under the pretext of removing lint from her clothing.

Upon receiving the allegation, the OIG notified the District and the decision was made to pull the teacher from active duty.

The investigation substantiated allegations of sexual harassment and misconduct in violation of CPS’s Comprehensive Non-Discrimination Title IX and Sexual Harassment Policy, and also violated CPS’s Student Travel Policy, CPS’s Staff Acceptable Use policy, and CPS Guidelines Regarding Maintaining Professional Staff/Student Boundaries. The teacher also refused to answer questions during his OIG interview after being presented with a notice of administrative rights, which violated CPS Board Rule 4-4(m).

The OIG recommended termination of the teacher’s CPS employment and placement of a Do Not Hire designation in his personnel file. The OIG further recommended that ISBE be notified of its findings. The Board subsequently filed dismissal charges and notified the OIG that termination hearings are pending with ISBE.

- *Former JROTC Staff Member Charged with Sexual Assault and Aggravated Criminal Sexual Abuse of a Female High School Student (19-02349)*

An OIG investigation found that a former JROTC staff member had sex with a female high school student over the course of a year when she was 16 to 17 years old. During this period, the JROTC staff member provided the student with alcohol and consumed marijuana around her. He had the student buy marijuana for him (before it was legal in Illinois) and bring it to the school. Cell phone records showed hundreds of text messages and calls between the JROTC staff member and the student. The OIG reviewed text messages that were overtly sexual, including “I’m ready to f*** right now ... I’m not gonna be gentle either.”

The investigation also revealed that when the JROTC staff member became aware that he might be under investigation, he threatened to kill the student and her family if she disclosed the sexual abuse.

CPS OIG FY 2022 Annual Report

Upon receiving the allegation, the OIG notified the District and the staff member was pulled from active duty.

The JROTC staff member was arrested and charged on eight counts of criminal sexual assault and one count of aggravated criminal sexual abuse. The staff member pled guilty to the latter count, and was sentenced to time served and four years of probation, and is required to register as a sex offender. He resigned from CPS during the investigation. The OIG coordinated with CPD throughout the criminal investigation.

In addition to criminal sexual assault and aggravated criminal abuse, the OIG's administrative investigation also found that the JROTC staff member's misconduct included distributing harmful material to a minor, solicitation of a child, statutory grooming, and simple assault.

The staff member's conduct constituted sexual harassment and misconduct, as defined by the CPS Comprehensive Non-Discrimination Title IX and Sexual Harassment Policy. The conduct also violated the CPS Staff Acceptable Use policy and the CPS's Guidelines Regarding Maintaining Professional Staff/Student Boundaries.

The OIG recommended a permanent Do Not Hire designation be added to the staff member's personnel file. The Board subsequently placed a permanent Do Not Hire designation in his personnel file.

- *High School Teacher Sent Pornographic Videos of Himself to a Student and Exposed Himself to Another Student (19-01762)*

A high school physical education teacher exposed the area around his penis to an eleventh-grade female student when they were alone in a driver's education trailer near the school. The teacher exposed his pubic hair and the area around his penis by repeatedly letting his sweatpants drop to the area of his pubic line. However, the teacher would immediately pull up his pants when other people walked by, further indicating that he was intentionally exposing himself to the student.

The student reported the incident to two other staff members within days of the occurrence, but both of them failed to notify the school's administration as they were required to do as mandated reporters. Instead, the staff members made excuses for the teacher. One of them said that the conduct was probably unintentional and that he did not believe the teacher would sexually harass a student because he had a daughter of his own. The other staff member blamed the student for wearing provocative clothing, implying that she brought the problem on herself.

Not only did the staff members fail to report the teacher's misconduct as they were required to do, they tipped off the teacher about the student's complaint. Several of

CPS OIG FY 2022 Annual Report

the student's classmates also learned about the complaint and intimidated the student for coming forward.

Frustrated over not being believed and by the failure of staff members to take appropriate steps, the student posted a comment on social media about the teacher exposing himself in the driver's education trailer. One of the student's classmates saw the post and came forward with her own allegations against the teacher: The classmate, who was 15 years old, alleged that the teacher connected with her on social media and sent her photos and videos of himself masturbating and engaged in other sexual acts. She produced several video clips to the OIG, which corroborated the allegations.

The OIG referred the allegations to DCFS, which alerted the Chicago Police Department. CPD investigated the allegations and the teacher was eventually charged with manufacturing harmful materials and distributing them to a minor. The criminal case remains pending.

The OIG notified CPS upon receiving the original allegations about the teacher exposing himself to a student, and CPS promptly pulled the teacher pending the investigation.

The teacher's misconduct toward each of the students constituted sexual harassment in violation of CPS's Comprehensive Non-Discrimination Title IX and Sexual Harassment Policy because it created an intimidating, hostile, or offensive learning environment. It also violated CPS's guidelines on maintaining professional boundaries with students. Additionally, the teacher's electronic transmission of pornographic materials to a student violated the Staff Acceptable Use policy, which prohibits staff members from connecting with students via social media or using social media to send them offensive materials.

The OIG recommended that the teacher's CPS employment be terminated and that a Do Not Hire designation be placed in his personnel file. The OIG also recommended that the Illinois State Board of Education be notified of its findings.

The Board pursued termination by filing dismissal charges and the teacher subsequently resigned. The Board also placed a Do Not Hire designation in his personnel file. The Illinois State Board of Education suspended the teacher's Professional Educator License because of the pending criminal charge.

The two staff members who failed to report the initial disclosure of sexual misconduct violated the CPS Reporting of Child Abuse, Neglect and Inappropriate Relations between Adults and Students policy, which requires that staff members who receive credible allegations of sexual misconduct notify the administration. The OIG recommended that the staff members receive appropriate discipline and

CPS OIG FY 2022 Annual Report

retraining on CPS reporting protocols. The Board subsequently gave both staff members a Level Two Performance Improvement Plan.

- *Elementary School Teacher Made Inappropriate Physical Contact with a Student's Neck and Shoulders (19-00938)*

An OIG investigation determined that an elementary school teacher touched a male student's neck and shoulders, briefly, on one occasion. The initial complaint, however, alleged far more serious misconduct that resulted in the teacher being pulled from the classroom and criminally charged for misdemeanor battery. The teacher was eventually acquitted at trial.

The OIG's investigation found insufficient evidence to support a finding that any sexual misconduct occurred.

According to the initial complaint and written statement, provided by the student's parent, the teacher put his hand under the student's shirt and massaged his back. The statement said that two other students allegedly witnessed the incident. The male student alleged the teacher touched him on his back in this manner for 10 minutes. In addition, a female student also complained that the teacher stared at students and "winks" suggestively at them. And she claimed to have witnessed the teacher rubbing the male student's thigh, putting his arm around the male student's shoulder, and rubbing his neck.

In interviews with police, a forensic interview, and his testimony at the teacher's criminal trial, the male student alleged that the teacher rubbed his neck, stuck his fingers under his shirt, and rubbed his back. Further, two students described witnessing the teacher rub and massage the student's shoulders, with one of the students alleging the same misconduct in a written statement, forensic interview, and trial testimony.

However, the investigation also uncovered inconsistencies in the accounts of these students, including accounts of how long the teacher touched the student, the part of the student's body that was touched, and the classroom where it occurred.

In addition, the female student mentioned above gave testimony at the criminal trial that corroborated the allegation that the teacher touched the student but also contained several inconsistencies with the male student's allegations, including saying that the teacher also touched the inside of the male student's thigh (something that the male student never alleged).

Following the conclusion of the criminal trial, the OIG's administrative investigation substantiated a finding that the teacher rubbed the male student's neck and shoulders, but found insufficient evidence supporting that the conduct lasted 10 minutes, as alleged by the student. The OIG determined the teacher's conduct

violated CPS's Guidelines Regarding Maintaining Professional Staff/Student Boundaries.

C. OTHER CASES INVOLVING GROOMING OR SEVERE SEXUAL MISCONDUCT

- *High School Teacher Groomed Multiple Students for Sex and Engaged in Sexual Acts with a Student at School (20-01013)*

A high school substitute teacher engaged in a systematic pattern of grooming behaviors with female students. The teacher made intimate physical contact with students (including kisses, sexual hugs, and back-rubs), openly solicited sexual acts (such as asking a student to recruit another student for a "threesome"), harassed students with inappropriate comments (including asking about student's sex lives, telling a student that he loved her, remarking on a student's body, commenting on a student's "hickey," and calling himself "well hung"), had extensive personal communications with students on social media and by cell phone, and engaged in other common grooming techniques (such as giving a student unnecessary passes to exclude her from class, and encouraging students to confide in him about personal problems).

This conduct began as early as 2015 and continued into the 2019-20 school year, when a former student reported the teacher's conduct to the school principal. The former student then disclosed various interactions with the teacher on social media, at which point other former students came forward with disclosures of similar incidents.

When the former student came forward in the 2019-20 school year, she alleged that the teacher gave her prolonged frontal hugs of a sexual nature in areas of the classroom where they wouldn't be easily seen; told her he "loved" her; made sexual comments to her on social media platforms; and gave her rides in his car.

The teacher denied the allegations, but the student's account was corroborated, among other things, by multiple text messages sent at the time of the incidents, in which the student described her interactions with the teacher to a classmate. The teacher's conduct toward the student constituted sexual harassment and violated the Comprehensive Non-Discrimination, Title IX, and Sexual Harassment Policy, which strictly prohibits "romantic or sexual conduct" between school employees and CPS students. The teacher's conduct also violated the Student Travel Policy, which prohibits staff members from transporting students in their private vehicles without prior written approval from the principal and the students' parents or legal guardians.

Another student who came forward in response to the social media posts alleged that, when she was approximately 15 years old, the teacher took her to a secluded area of his classroom when nobody else was present and began hugging and kissing

CPS OIG FY 2022 Annual Report

her in a sexual manner. On another occasion, the student came to the teacher's classroom to request a pass from him, at which time the teacher attempted to kiss her again and asked her to make out with him. On other occasions, the teacher made comments of a sexual nature to the student, including asking if she would be interested in engaging in a threesome.

The teacher denied the allegations, but the student's account was corroborated by a former classmate and consistent with the initial accuser alleged. The teacher's conduct toward this student constituted sexual harassment and violated the Comprehensive Non-Discrimination, Title IX, and Sexual Harassment Policy, which strictly prohibits "romantic or sexual conduct" between school employees and CPS students. In addition, the teacher's sexual comments toward this student may have constituted the crime of indecent solicitation of a child.

The investigation also revealed that the teacher engaged in hundreds of cell phone communications with another former female student, both before and after her graduation, and that many of their calls occurred late at night and lasted over an hour. Although there was insufficient evidence to conclude that the teacher engaged in sexual activity with this student, his pattern of sexual conduct toward others female students, and the sheer volume, frequency, timing, and duration of his calls with the student, established that the calls were impliedly sexual in nature and constituted sexual harassment because it was an unacceptable level of personal attention on a single student.

Additionally, the teacher engaged in intimate physical contact, such as back rubbing, with several current female students, and he also made remarks of a sexual nature to one of them, commenting on her eyes and body shape.

Upon receiving the allegations in June 2020, the OIG notified CPS and the District determined that the teacher should be pulled from active duty.

When the first former student came forward against the teacher, the OIG referred her allegations to DCFS, but the allegations were unfounded by DCFS. The OIG subsequently referred to DCFS the other allegations the OIG discovered involving the other students, but DCFS declined to open an investigation into those other allegations.

CPD conducted its own investigation, but suspended its case because the disclosures did not rise to the level of criminal conduct. After the OIG's investigation revealed more serious incidents of sexual activity with other students, including a possible instance of indecent solicitation of a minor, the OIG referred these allegations to CPD for further consideration. CPD pursued the matter further, but informed the OIG that it was unable to contact the former student who had been a victim of indecent solicitation.

CPS OIG FY 2022 Annual Report

The OIG recommended termination of the teacher's CPS employment and placement of a Do Not Hire designation in his personnel file. The OIG further recommended that ISBE be notified of its findings. The employee resigned and the Board placed a Do Not Hire designation in his personnel file. The Board additionally notified ISBE.

- *Teacher Sexually Touched CPS Student Between 1996 and 1999 (19-00655)*

The OIG's investigation determined that an elementary school teacher sexually touched a CPS student between 1996 and 1999, when the student was approximately 11 to 14 years old. The teacher purchased food and gifts for the student and members of his family. The teacher also spent the night in the student's bedroom, having sex with the student.

If proven at trial, the teacher's sexual abuse of the student would have constituted the elements of Aggravated Criminal Sexual Abuse. See 720 ILCS 5/11-1.60(f) ("A person commits aggravated criminal sexual abuse if that person commits an act of sexual conduct with a victim who is at least 13 years of age but under 18 years of age and the person is 17 years of age or over and holds a position of trust, authority, or supervision in relation to the victim.") CPD, however, did not open an investigation because the victim was over 18 years old at the time of his outcry; it is unknown whether the victim has filed their own police report.

The teacher's actions also violated other CPS policies. Additionally, the staff member groomed the student by purchasing gifts for the student and his family and by sleeping at the student's home, even sometimes in the student's bedroom.

The evidence also demonstrated that the teacher had a pattern of questionable behavior and boundary-crossing conduct while employed at the elementary school, including obstructing the view into his office with paper, giving students rides in his personal vehicle, taking students to Six Flags, and showing favoritism to the male students. Some of this behavior would have constituted a violation of the Guidelines Regarding Maintaining Professional Staff/Student Boundaries, now the Standards of Conduct for Maintaining Professional Boundaries between Staff and Students, and the Student Travel Policy, had the policies been in effect at the time.

Additionally, the teacher refused to answer multiple questions posed by the OIG in violation of his obligations pursuant to Board Rule 4-4(m).

CPS decided to pull the teacher from active duty based on the allegations.

The OIG recommended termination of the teacher's employment and placement of a Do Not Hire designation in his personnel file. The OIG further recommended that CPS notify the Illinois State Board of Education of the findings of this investigation. The Board subsequently initiated dismissal proceedings and the teacher resigned. The

CPS OIG FY 2022 Annual Report

Board then placed a Do Not Hire designation in his personnel file. The Board also advised that hearings to terminate the teacher's license are pending with ISBE.

- *Former CPS Teacher Had Sexual Intercourse with a CPS Student 15 years Ago (19-00044)*

The OIG's investigation determined that a former CPS teacher had sexual intercourse with a CPS student several years ago following a period of grooming the student that included buying her gifts and giving her rides in his vehicle without consent.

Additionally, the former teacher groomed the student by purchasing gifts, spending the night with the student at various locations, and giving the student rides in her personal vehicle. Some of this behavior would have constituted a violation of the Guidelines Regarding Maintaining Professional Staff/Student Boundaries, now the Standards of Conduct for Maintaining Professional Boundaries between Staff and Students, and the Student Travel Policy, had the policies been in effect at the time of this conduct.

The teacher was terminated from CPS in 2007. The OIG recommended CPS prevent the teacher from working or volunteering for CPS again. The OIG also recommended that CPS notify the Illinois State Board of Education of the findings of this investigation. The Board subsequently placed an internal Do Not Hire designation in the teacher's personnel file.

DCFS declined to open an investigation into this matter. CPD opened a case, but suspended its investigation due to a lack of evidence of criminal conduct prior to the victim's 18th birthday.

- *High School Teacher Sexually Abused and Groomed Two Former Students (20-00461)*

An OIG investigation determined that a high school teacher sexually abused a former CPS student in 2002 or 2003 while she was a CPS student. The evidence also established that the teacher groomed this student by showing favoritism towards the student, spending time alone with the student outside of school, including late at night, and giving the student rides in his personal vehicle.

The teacher also groped and kissed another student in his car in 2001 when she was a CPS student. The teacher admitted to having a sexual relationship with her after she graduated, but denied the allegations of misconduct while she was a student.

The OIG notified CPS about the allegations, and CPS pulled the teacher from active duty.

CPS OIG FY 2022 Annual Report

The OIG tried to report this matter to CPD, but CPD could not open the case based only on a report from the OIG (a third party). CPD needed a report directly from a victim.

DCFS also was notified, but declined to open an investigation, likely due to the age of the victims.

The OIG's investigation revealed, not only the abuse mentioned above, but also that the teacher had frequent boundary-crossing interactions with students outside of school, including hosting students at his residence, going with students to movies and sporting events, having meals with students outside of school, and driving students in his vehicle. Some of this behavior would have constituted a violation of the Guidelines Regarding Maintaining Professional Staff/Student Boundaries, now the Standards of Conduct for Maintaining Professional Boundaries between Staff and Students, and the Student Travel Policy, had the policies been in effect at the time of this conduct.

Based on its investigation, the OIG recommended termination of the teacher's employment and a placement of a Do Not Hire designation in his personnel file. The OIG also recommended CPS notify the Illinois State Board of Education of this investigation's findings. The Board subsequently initiated dismissal proceedings, and the teacher resigned with a Do Not Hire designation placed in his personnel file.

- *Charter Administrator Groomed a High School Student for Sexual Abuse (21-00195)*

A charter school administrator took a high school junior to a Broadway musical in downtown Chicago. When the administrator invited him to go see the musical, the student recalled him saying, "you don't say no when [someone in the administrator's position] asks you to go somewhere." Although theater records showed that the charter school had purchased approximately 60 tickets to the musical for a group outing occurring just the day before, the administrator took the student to the show alone the following day. During the performance, the student said that the administrator touched the student's leg with his own. Then, after the show, while driving the student home, the administrator slid his hand down inside of the front of the student's pants and touched his genitals.

The OIG's investigation of the administrator for this incident was initiated after a series of outcries by the student on social media in mid-2021 (when the student was well into his 20s). In the posts, the student alluded to the incident of sexual abuse in the administrator's vehicle following the musical, but also to the abuse he suffered during a relationship with the administrator for nearly a decade following his graduation from the charter school.

CPS OIG FY 2022 Annual Report

In the posts, the student wrote (and later discussed with OIG investigators) that the administrator leveraged the authority and control he established over him as a student to have a years-long quid pro quo sexual relationship that included a large amount of cash, expensive trips, rent payments and employment with the charter school: “for the better part of 10 years I was under this man, isolated and threatened by things he would take away from me if I did not do what he said.”

The investigation established that the student had disclosed the nature of his relationship with the administrator post-graduation to a handful of people. Still he was apprehensive to formally report the abuse because he doubted anyone would believe him, he was also scared of the administrator and internally conflicted about reporting him. However, the student eventually made the social media posts “to expose [the administrator] for the abuse that I have suffered as a result of attending [the charter school] ...”

Starting very soon after the student’s graduation from the charter, the investigation revealed that the administrator had successfully positioned himself in the (now former) student’s life as a mentor and father figure while at the same time he pursued him for sex. Years of cash transfers to the student from the administrator’s personal bank account alone topped \$50,000 and started shortly after the student graduated (the student also stated that the administrator would hand him cash when they met). In addition to the cash payments, the administrator bought him clothes, gifts and took the student on trips to Las Vegas, Los Angeles, London and Ibiza. Credit card records also showed the administrator purchased the student airfare to the Bahamas.

When the student disenrolled from an out-of-state college, he returned to Chicago assisted by the administrator who helped set him up in apartments and cover the rent. The student reported that when the administrator visited him he would become annoyed if he had other company there because he wanted the two of them to be alone. The student mentioned frequent trips with the administrator to hotels.

The administrator used his influence to find the student an administrative job with the charter school. By several accounts, the student’s tenure as an employee of the charter was troublesome and included several in-office arguments between the administrator and student. After several months, the student left employment with the charter school but he remained on the charter’s employee roster so that he could remain on the employee medical insurance plan. The student’s social media posts and statements to the OIG indicated that the administrator also used the health insurance coverage as leverage over the student in their relationship.

Although the administrator admitted taking the student alone to the Broadway musical and driving him home, he denied the student’s allegations of sexual abuse in the vehicle. The administrator admitted to what was independently established by

CPS OIG FY 2022 Annual Report

credit card and bank records related to the cash payments to the student and paying for them to take trips to Las Vegas, Los Angeles, London and Ibiza. He further admitted to buying the student clothes and other gifts and helping to cover certain expenses for him to return to Chicago after disenrolling from college out-of-state. The administrator, however, denied having sex with the student at any point while he was a student or after he graduated from the charter school.

The OIG substantiated the grooming allegation against the administrator. The investigation revealed that taking the student to the musical was one of several examples of the administrator showing the student special attention. CPS's policy manual defines "grooming" as "behavior an adult uses to build an emotional connection with children to gain their trust and break down their inhibitions for the purpose of sexual abuse." School alumni and staff members recalled the inordinate amount of attention that the administrator showed the student while he was enrolled at the charter school. Several witnesses stated that the administrator made the student the "face" of the school while he was enrolled there. A former school staff member recalled the student facing no consequences for cursing out a teacher because he enlisted the administrator's assistance in making the incident blow over. The investigation established that the administrator's grooming behavior with the student was for the purpose of sexual abuse.

The OIG made no findings pertaining to the student's employment with the charter, but highlighted the issue of quid pro quo workplace sexual harassment for possible further investigation by CPS's Office of Innovation and Incubation.

The OIG had multiple discussions with the former student about the decision of whether to pursue criminal charges based on the conduct that occurred when the former student was a minor. The former student, who was in his mid-20s when the OIG's investigation began, ultimately declined to do so. The OIG, however, notified DCFS because of the continued threat that the administrator posed to students.

Early in the investigation, CPS advised the charter school that the administrator should not interact with students while the investigation was pending. The administrator went on administrative leave but CPS cited instances of the administrator continuing to have contact with students.

Based on the investigation's findings, the OIG recommended that the charter terminate the administrator's employment. After the OIG's report was issued, the administrator resigned from his position.

- *Former Vendor Employee Sent a Nude Photo of Himself to a Student, Made Repeated, Unwelcome Requests to That Student (19-02099)*

A former vendor employee sent a nude photo of himself to a 19-year-old female student. He asked the student on a date to dinner, asked if he could join her while

CPS OIG FY 2022 Annual Report

she was babysitting, and asked to walk her home. The vendor employee gave a second female student hugs that lasted an extended period and made her feel uncomfortable.

The vendor employee's conduct constituted a violation of CPS's Comprehensive Non-Discrimination, Harassment, and Retaliation Policy.

The vendor employee was blocked from CPS during the course of the OIG's investigation.

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 placed the employee on an internal Do Not Hire list. The Board additionally advised the OIG that the vendor employee was referred for potential debarment.

DCFS also investigated this matter, but unfounded the case based on insufficient information.

- *High School Teacher Groomed and Sexually Harassed Student, Frequently Messaged a Second Student, and Sexually Harassed Two Other Students Several Years Ago (19-00001)*

A high school teacher exchanged approximately 4,000 messages with a student in a period of just under two years, including 400 messages on a single day. The teacher repeatedly asked the student to keep secrets and made demeaning comments to her about her physical appearance. The teacher also discussed a relationship that he had with a former male student, stating that the two had "reconnected and things happened," mentioned that he was in an open marriage and was attracted to other people, repeatedly brought up the fact that he was bisexual, and frequently asked the student about her sexual orientation.

The teacher also asked the student about intimate details of her relationships, including whether she had had sex with another student. The relationship that the teacher cultivated with the student amounted to grooming and sexual harassment, as defined by CPS policy.

The teacher's frequent text messages with another student (though not explicitly sexual) would have violated the Staff Acceptable Use Policy and the Standards of Conduct for Maintaining Professional Boundaries between Staff and Students, had they been instituted at the time of the teacher's communications.

CPS OIG FY 2022 Annual Report

During its investigation, a former student reported that, several years ago, the same teacher had asked her to show him her underwear when she was a student and asked if she wanted to take her clothes off while they were talking in his office at the school. The investigation substantiated the allegation and determined that the teacher's misconduct constituted sexual harassment.

At the outset of the investigation, the OIG notified CPS about the allegations and CPS pulled the teacher from active duty.

The OIG recommended termination of the teacher's CPS employment and placement of a Do Not Hire designation in his personnel file. The OIG further recommended that CPS notify the Illinois State Board of Education.

The Board initiated dismissal proceedings against the teacher, and the teacher resigned. The Board subsequently placed the Do Not Hire Designation in his personnel file and his ISBE license was revoked.

- *Investigation of Systemic Sexual Misconduct at Military Academy (21-00003)*

In April 2019, the OIG received complaints about two staff members alleged to have been engaged in sexual abuse of students at a military academy. However, the investigation quickly expanded, with new complaints coming in from anonymous sources, as well as additional allegations against other staff members that were made during interviews with students, graduates, teachers and other school staff.

In the end, the investigation examined allegations related to 29 individuals. The allegations included sexual abuse of students, nonsexual conduct that raised grooming concerns, failure to report potential inappropriate conduct, and other violations of CPS policies and guidelines.

The investigation substantiated allegations of violations of other CPS policies against 13 individuals:

- 4 current and former staff members
- The former principal
- 4 teachers
- 3 military instructors
- 1 member of the school's Board of Governors

The investigation found that three individuals engaged in sexual misconduct:

- A teacher engaged in sexual intercourse with an 18-year-old student.

CPS OIG FY 2022 Annual Report

- A second teacher engaged in a pattern of conduct with a different student that was sexually motivated with the intent to groom that student for sexual acts. However, the investigation did not determine whether the second staff member ever engaged in sexual acts.
- A military instructor made sexually-harassing comments to a twelfth-grade female student over the course of two years, making her uncomfortable. The staff member retaliated against that student when she reported the misconduct.

Additionally, four individuals were found to have violated the Guidelines Regarding Maintaining Professional Staff/Student Boundaries, five individuals communicated with students in violation of CPS policy, and seven individuals were found to have failed to report, or timely report, potential misconduct pursuant to their obligations under CPS policy.

The OIG previously reported publicly on this matter in Significant Activity Reports on [November 19, 2021](#), and [December 23, 2021](#).

The following table reflects the OIG’s disciplinary recommendations for the involved staff members, and the disciplinary action that has been taken by the Board.

| Subject | Recommended Action | Discipline Imposed |
|-----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Subject A | The OIG recommended termination of the teacher’s employment and placement of a “Do Not Hire” designation in his personnel file. | After an investigatory conference, based on the Hearing Officer’s determination, the Board gave the teacher a Last Chance Agreement, issued a second warning, and made him complete additional training prior to reinstatement. |
| Subject B | The OIG recommended termination of the teacher’s CPS employment and placement of a Do Not Hire designation in her personnel file. The OIG further recommended that the ISBE be informed of the OIG’s findings regarding the teacher. | The Board filed dismissal charges and the teacher resigned. The Board additionally placed a Do Not Hire designation in her personnel file and notified ISBE. |
| Subject C | The OIG recommended appropriate discipline for the military instructor. The OIG further recommended that the JROTC command be informed of the OIG’s findings regarding the instructor. | The military instructor resigned from his employment and the Board added a Do Not Hire designation to his personnel file and notified ISBE. |

CPS OIG FY 2022 Annual Report

| Subject | Recommended Action | Discipline Imposed |
|-----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------|
| Subject D | The OIG recommended termination of the military instructor's CPS employment and placement of a Do Not Hire designation in his personnel file. The OIG further recommended that the JROTC command be informed of the OIG's findings regarding the instructor. | The military instructor resigned from his employment and the Board added a Do Not Hire designation to his personnel file. |
| Subject E | The OIG recommended appropriate discipline for the military instructor. The OIG further recommended that the JROTC command be informed of the OIG's findings regarding the instructor. | The military instructor resigned from his employment and the Board subsequently added a Do Not Hire designation to his personnel file and notified ISBE. |
| Subject F | The OIG recommended that the principal, whose CPS employment had already been terminated, receive a Do Not Hire designation in her personnel file. | The principal was terminated and a Do Not Hire was placed in her personnel file, consistent with the OIG's recommendation. |
| Subject G | The OIG recommended that CPS terminate the security officer's employment and place a Do Not Hire designation in his personnel file. | The Board terminated the security officer and placed a Do Not Hire designation in his personnel file. |
| Subject H | The OIG recommended termination of the security officer's employment and placement of a Do Not Hire designation in her personnel file. | The security officer resigned. The Board placed a Do Not Hire designation in her personnel file and notified ISBE. |
| Subject I | The OIG recommended appropriate discipline for the teacher. | The teacher resigned and a Do Not Hire designation was added to his personnel file. |
| Subject J | The OIG recommended that the instructor receive appropriate discipline. | The Board issued a first warning resolution to the instructor. |
| Subject K | The OIG recommended that the volunteer be permanently blocked from volunteering in CPS schools. | The Board placed the volunteer on an internal Do Not Hire list. |
| Subject L | The OIG recommended appropriate discipline for the school culture coordinator. | The Board suspended the school culture coordinator for two days without pay. |
| Subject M | The OIG recommended appropriate discipline for the counselor. | The Board issued the counselor a second warning resolution. |

CPS OIG FY 2022 Annual Report

In addition to those disciplinary recommendations, the OIG recommended that OSP play an active role at the school and assist the current administration in correcting the culture at the school surrounding inappropriate interactions with students, reporting obligations under CPS policy, and training related to staff mandatory reporter obligations.

The OIG recommended that CPS fully evaluate the training that JROTC staff and military instructors receive and determine whether it is sufficient to properly prepare military staff to comply with CPS policies related to interactions with students.

The OIG further recommended that all military instructors and JROTC staff receive thorough training on the Standards of Conduct for Maintaining Professional Boundaries between Staff and Students, the Staff Acceptable Use policy, and the need to observe strict social and emotional boundaries with students.

Finally, the OIG recommended that, in addition to notifying the appropriate principal, when in receipt of an allegation involving CPS military personnel that does not result in the staff member's removal from school, OSP and/or the Law Department should promptly notify the Executive Director of the Chicago Public Schools JROTC program as well as U.S. Army JROTC chain of command.

D. OTHER SEXUAL HARASSMENT OR SEXUAL MISCONDUCT CASES

- *Vendor Employee Called a Fourth-Grade Student "Sexy" and Made Other Similar Comments to Her (19-00401)*

A vendor employee called a fourth-grade female student "sexy" and made other prohibited comments to her about her physical appearance.

If the vendor had been a CPS employee, his comments would have violated CPS's Comprehensive Non-Discrimination, Sexual Harassment, and Retaliation Policy.

The vendor employee was pulled from active duty during the course of the OIG's investigation.

The OIG recommended that CPS debar the employee from working at CPS, either as a direct employee or as a vendor's employee. The Board subsequently flagged the employee's file as recommended.

- *School Staff Member Made Several Sexualized Comments to Students and Communicated with Students on His Cell Phone (19-00670)*

A high school culture coordinator working under the unofficial CPS title of "dean" made several inappropriate comments to students including, in one instance, a sexual comment. The school culture coordinator further had extensive phone and text

CPS OIG FY 2022 Annual Report

contact via personal cell phone with students, and also transported a student to/from school in his personal vehicle without proper authorization.

One comment, which was made during a basketball game to the basketball team, contained sexual connotations, while another comment was ambiguous but nevertheless inappropriate to the circumstances. In the first instance, the staff member said, “The way he plays, I could bust a nut.” In the second instance, the staff member told another student that he “should be black,” which the student believed was a comment about his penis. These comments constituted a violation of CPS’s Comprehensive Non-Discrimination, Harassment, and Retaliation Policy. The staff member’s conduct also violated CPS’s Guidelines Regarding Maintaining Professional Staff/Student Boundaries, CPS’s Acceptable Use Policy, and CPS’s Travel Policy.

Upon receiving the allegation, CPS was notified and determined that the “dean” should be pulled from active duty.

The OIG recommended a Do Not Hire designation added to the staff member’s personnel file. The Board subsequently flagged the employee’s file as requested.

- *High School Security Guard Flirted with a Female Student and Engaged in a Pattern of Inappropriate Conduct Towards Female Students (19-01566)*

A high school security guard flirted with a female student and made inappropriate comments regarding her dating relationship with another student, such as, “You hurt my feelings,” “You’re my crush,” and “I don’t know why you’re still with him.”

The investigation also revealed a pattern of inappropriate behavior by the security guard toward female students, which included discussing students’ relationships, asking students about sexual rumors, and commenting on female students’ bodies. This conduct violated the CPS Comprehensive Non-Discrimination, Title IX, and Sexual Harassment, and Retaliation Policy and the CPS Guidelines Regarding Maintaining Professional Staff/Student Boundaries.

The security guard also connected with two former students on Instagram and made inappropriate comments, but this occurred after the students had graduated.

Upon receiving a second allegation that the security guard had sent inappropriate messages to a former student, the OIG alerted CPS, and CPS promptly pulled the security guard from active duty.

The OIG referred allegations that the security guard gave students on the baseball team rides in his vehicle and engaged in group text chats with students on the baseball team to CPS.

CPS OIG FY 2022 Annual Report

The OIG recommended that the security guard receive appropriate discipline, up to and including termination. The Board subsequently terminated the security guard and a Do Not Hire designation was placed in his personnel file.

- ***Substitute Teacher Sexually Harassed Female Students at a Middle School (19-01835 and 19-02396)***

While substitute teaching at a middle school, a substitute teacher frequently invaded female students' personal space in a way that made them uncomfortable, including standing over female students while checking their school work and putting his face close to their faces when speaking to them.

Additionally, the substitute teacher frequently touched female students' shoulders and arms, and frequently made comments on their physical appearance and attractiveness. The OIG investigation found the substitute did not engage in similar behavior with male students.

This conduct constituted sexual harassment and sex/gender-based harassment under the CPS Comprehensive Non-Discrimination Title IX and Sexual Harassment policy, as well as the Guidelines.

The OIG notified CPS about the allegations, and the substitute was blocked from receiving new substitute assignments. The substitute retired from CPS prior to the OIG issuing its report.

As the substitute teacher retired, the OIG recommended the placement of a Do Not Hire designation in his personnel file. The Board subsequently placed the requested designation in his personnel file.

- ***High School Teacher Repeatedly Made Inappropriate Physical Contact with Female Students (19-02251)***

A high school teacher placed his body too close to female students. In one instance, he stood too close to a female student while she was bent over a classroom table, and his pelvic area touched her buttocks. On a different occasion, the teacher approached that same student to give her a textbook and got so close to her that his chest touched hers.

The teacher also made another student uncomfortable by standing too close to her while she was bent over plugging in a computer.

The investigation found that the teacher's repeated pattern of misconduct constituted sexual harassment under the CPS Comprehensive Non-Discrimination, Harassment, and Retaliation Policy. The teacher also violated the CPS Guidelines Regarding Maintaining Professional Staff/Student Boundaries.

CPS OIG FY 2022 Annual Report

Upon receiving the allegation, the OIG notified the District and the teacher was promptly pulled from active duty. The teacher was terminated during the course of the investigation.

The OIG recommended that a Do Not Hire designation be placed in the teacher's personnel file. The Board subsequently flagged the teacher's file as requested.

- *Elementary School Teacher Frequently Touched Female Students' Bodies and Stared at Female Students' Buttocks (19-02346)*

An elementary school teacher touched a student's face and frequently touched students' arms, shoulders, backs, and waists on numerous occasions and in a manner that made them feel uncomfortable. The teacher admitted to some of the conduct, although he denied having any inappropriate intent. The students provided consistent accounts of the way the teacher touched female students and indicated it was a pattern of behavior for him.

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

Notably, another teacher told the OIG she observed the teacher look at female students' buttocks on at least five or six occasions, but did not report his behavior in violation of the Guidelines Regarding Maintaining Professional Staff/Student Boundaries.

The OIG notified CPS about the allegations and CPS pulled the teacher from active duty.

The OIG recommended termination of the teacher's employment, a placement of a Do Not Hire designation in his personnel file, and notification to the Illinois State Board of Education. 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.

The OIG additionally recommended appropriate discipline and/or training regarding reporting procedures for the teacher who failed to report the male teacher's behavior. The Board subsequently issued a warning resolution to the teacher.

- *Elementary School SECA Sat on Top of a Student Twice and Made an Inappropriate Comment (19-02465)*

An elementary school special education classroom assistant sat on top of a student twice, moments apart. The SECA sat on a student's lap, causing him to fall out of his chair. She continued sitting on him while he was on the floor. During this interaction, the SECA made a comment to the effect of "Next time, I will sit on your face." The

CPS OIG FY 2022 Annual Report

SECA lied to the OIG about the incident, falsely denying that she ever sat on the student despite admitting she had done so to a school administrator on the day of the incident.

This conduct violated the CPS Comprehensive Non-Discrimination, Title IX, and Sexual Harassment, and Retaliation Policy and the CPS Guidelines Regarding Maintaining Professional Staff/Student Boundaries.

After learning about the SECA's comment during interviews, the OIG made CPS aware of the allegations and CPS determined that the SECA should be pulled from active duty.

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

- *Vendor Custodian Made Inappropriate Gestures with His Tongue Towards Two Female Students, Looked into the Girls' Bathroom While These Two Female Students Were in It, and Repeatedly Stared at Female Students, Which Made Students Uncomfortable (20-00386)*

A vendor custodian stuck out his tongue at two eighth-grade female students and then moved or licked his tongue upward towards his nose. The custodian also looked into the girls' bathroom after these students had entered it. The custodian also repeatedly stared at female students, including at their buttocks, which made students uncomfortable.

One female student, whose account of the incident was corroborated by another student, described the custodian's tongue movement as "sexual" in nature. The students were further consistent in relating that the custodian was staring into the girls' bathroom while the two students were still present.

Several students consistently described the custodian staring at female students, including at their buttocks. Staff also shared similar first-hand descriptions of the custodian staring at students in an inappropriate manner.

The investigation concluded that the custodian's conduct was pervasive and persistent, interfered with student's access to school facilities, and created a hostile learning environment such that the conduct constituted sexual harassment under the CPS Comprehensive Non-Discrimination, Harassment, and Retaliation Policy. The custodian's conduct further violated CPS's Guidelines Regarding Maintaining Professional Staff/Student Boundaries.

The OIG notified CPS about the allegations, and the vendor was blocked from further CPS assignments pending further investigation.

CPS OIG FY 2022 Annual Report

The OIG recommended that the vendor custodian be personally and permanently debarred from working as a CPS vendor, and further recommended the custodian's file be flagged in the event he applies for a position with a CPS school, charter school, or is otherwise subject to a CPS background check. The Board subsequently placed the vendor custodian on an internal Do Not Hire list. The Board additionally advised the OIG that the vendor custodian was referred for potential debarment.

- *High School Teacher Accessed a Pornographic Website while Inadvertently Sharing His Screen with Students (21-00209)*

A high school teacher inadvertently displayed images from a pornographic website while sharing his screen with students. The teacher acknowledged accessing the website, but stated he was not aware he was still sharing his screen, and no evidence showed that it was done with the intention of showing the website to students.

The teacher's conduct constituted sexual misconduct, in violation of the CPS Comprehensive Non-Discrimination, Harassment, Sexual Harassment, Sexual Misconduct, and Retaliation Policy. The conduct also violated the CPS Staff Acceptable Use policy and the CPS Standards of Conduct for Maintaining Professional Boundaries between Staff and Students.

After conducting initial interviews, the OIG alerted CPS about the allegations, and CPS promptly pulled the teacher from active duty two weeks after the initial allegation.

The OIG recommended appropriate discipline for the teacher, up to and including termination of the teacher's employment. The Board subsequently gave him a Level Three Performance Improvement Plan.

E. CASES INVOLVING OTHER MISCONDUCT

The substantiated policy violations in the following OIG SAU investigations do not include findings of sexual misconduct. Instead, they identify violations of other adjacent policies that have been enacted or expanded by the District over the last several years. These include policies CPS has instituted relating to electronic communications, sexual harassment, reporting of suspected abuse, and guidance for maintaining professional boundaries and deterring behavior that may lead to more serious misconduct.

In some instances, the initial complaint received by the SAU articulated a clear allegation of sexual misconduct that was not ultimately substantiated, but the investigation determined that the staff member violated one of these adjacent policies. In other instances, the initial allegation on its face may have presented concerns of grooming or other concerning misconduct, such that further investigation was appropriate.

CPS OIG FY 2022 Annual Report

Potential grooming behaviors do not automatically constitute a violation of CPS policies. In fact, one of the reasons that makes grooming for sexual abuse so insidious is that the conduct may resemble the genuine concern that staff members have for the development of their students. However, as demonstrated by many of the substantiated findings summarized below, the conduct may violate other CPS policies, such as the Standards of Conduct for Maintaining Professional Boundaries between Staff and Students, the Staff Acceptable Use Policy, and/or the Student Travel Policy.

Finally, the cases summarized below include findings pertaining to staff members who failed to report suspected sexual misconduct in violation of their mandated reporter obligations and/or CPS policy. Staff members also occasionally violate the Board Rules by failing to cooperate with an OIG investigation. The SAU investigates and recommends consequences for these policy violations in order to deter such behavior and keep students safe.

- *Two Charter High School Teachers Communicated with a Student Through Her Cell Phone and One Teacher Additionally Used a Non-Approved, School-Related Facebook Account to Communicate with Students (18-01486)*

Two charter school teachers sent text messages to a twelfth-grade student. One of the teachers exchanged 53 messages with the student over an eight-month period and the other exchanged eight messages over a two-month period. However, there was insufficient evidence that the messages were sexual or otherwise inappropriate. Additionally, one of the teachers communicated with students through a non-approved, but school-related, Facebook account.

If they were CPS employees, the charter teachers' conduct would have violated CPS's policies prohibiting communications between staff and students via personal cell phone and social media.

Were the teachers CPS employees, the OIG would have recommended appropriate discipline. The OIG recommended that the investigation be considered should either teacher apply for CPS or vendor employment again or otherwise submit to a CPS background check.

- *Vendor Bus Driver Exchanged Phone Numbers with Several Students; Evidence Showed He Did So to Coordinate Pick-ups (19-00201)*

A vendor bus driver asked for, and exchanged, personal phone numbers with multiple students. The bus driver asked both male and female students for their numbers, and the investigation found no evidence of any inappropriate communication, or communication outside of coordinating bus pick-ups.

CPS OIG FY 2022 Annual Report

The vendor bus driver's conduct, were he a CPS employee, would have violated CPS's Acceptable Use Policy.

Were the bus driver a CPS employee, the OIG would have recommended appropriate training on CPS policies. Since the vendor bus driver was no longer employed by the vendor, the OIG recommended that the bus driver's file be flagged for review for the purpose of administering additional training in the event he applies for a CPS position or otherwise undergoes a background check for a vendor position. The Board informed the OIG that he would not be put on an internal Do Not Hire list.

- *High School Teacher/Coach Exchanged Text Messages with a Student, Drove Students in His Car, and Gave Students Gifts (19-00466)*

A high school teacher and girls' soccer coach exchanged over 100 cell phone communications with a female student over the course of one year, which was confirmed by the teacher's cell phone records. This conduct violated the Guidelines Regarding Maintaining Professional Staff/Student Boundaries, which prohibit staff members from engaging in private cell phone communications with students. (The communications did not violate the Staff Acceptable Use policy because they occurred before the policy's ban on such communications went into effect in August 2018.)

The teacher also drove female students to soccer games in his personal vehicle without the written consent of the students' parents or the principal, which violated the Student Travel Policy.

In addition, the teacher bought soccer shoes for certain students on the girls' and boys' soccer teams and had one-on-one interactions with certain female students in his classroom. The Guidelines Regarding Maintaining Professional Staff/Student Boundaries prohibit staff members from purchasing gifts for certain students without administrative approval, and they discourage one-on-one interactions with students that create an appearance of impropriety, but these interactions occurred before the Guidelines went into effect.

The investigation determined there was insufficient evidence to find that any sexual misconduct occurred. Although there was an extensive amount of communications with a student, the student consistently denied any sexual conduct occurred, and no other witnesses had firsthand knowledge of such conduct.

The teacher resigned from his CPS employment shortly after the investigation was opened and did not cooperate with the OIG's investigation. The OIG recommended that a permanent Do Not Hire designation be placed in the teacher's personnel file. The Board placed a Do Not Hire designation in the teacher's file.

- *SECA Entered Restroom and Grabbed a Student's Shirt (19-00512)*

An elementary school SECA entered the boys' restroom to remove two students from the restroom, and grabbed the shirt of one student in an attempt to remove him from the restroom. The SECA admitted that he approached one of the students in the restroom as if he were "going to get him" (meaning, the student might have thought that the SECA was about to assault him), and the two students' accounts of the interaction corroborated one another.

The evidence was insufficient to substantiate allegations that the SECA made comments about students' penises, looked into restroom stalls, or slapped a student in a restroom stall. The SECA's conduct violated the CPS Guidelines Regarding Maintaining Professional Staff/Student Boundaries, which define appropriate boundaries for staff members and students.

Based on the allegations (that the SECA entered the boys' restroom on multiple occasions and commented on students' penises, pulled up students' shirts, looked into restroom stalls, and slapped a student's neck), the OIG notified CPS and the District decided to pull the staff member from active duty. The SECA resigned on September 29, 2020.

The OIG recommended a Do Not Hire designation be placed in the SECA's personnel file. The Board subsequently marked the SECA's file for appropriate discipline and training if he is ever re-hired.

- *Elementary School Security Guard Instructed Female Soccer Players to Cover Their Bodies with More Clothing So He Could Not Be Accused of Looking at Them Inappropriately and Looked at Female Students During Exercises in Ways That Made Them Uncomfortable; Additionally, the Principal Failed to Report Certain Allegations (19-00685)*

An elementary school security guard, who also coached soccer, instructed female soccer players to wear clothing that more thoroughly covered their bodies so that he would not be accused of looking at them inappropriately. This conduct constituted impermissible gender discrimination under the Comprehensive Non-Discrimination, Title IX and Sexual Harassment Policy.

The investigation also showed that the security guard/soccer coach looked at female students during exercises in a way that made them uncomfortable. This conduct may have violated the Guidelines Regarding Maintaining Professional Staff/Student Boundaries, but there was insufficient evidence that the staring occurred after CPS adopted the Guidelines.

CPS OIG FY 2022 Annual Report

There was sufficient evidence that the security guard briefly touched a student on the buttocks, but there was insufficient evidence that the touching was intentional. There was insufficient evidence that the security guard had other inappropriate interactions with that student, stared at female students' buttocks in the hallway or improperly entered bathrooms.

The initial allegations were that the security guard looked at female students' buttocks and used to "love love love" a female student. After receiving additional allegations, CPS pulled the teacher from active duty approximately three months after receiving the initial complaint.

Additionally, the principal at the school failed to report an allegation that the security guard had grabbed a female student's buttocks during a school dance. The principal's failure to report violated the Comprehensive Non-Discrimination, Title IX and Sexual Harassment Policy.

The OIG recommended appropriate discipline, up to and including termination, for both the security guard and the principal. CPS subsequently reinstated the security guard after a 10-day suspension and additional training. CPS also informed the OIG that it initiated disciplinary proceedings against the principal, which remain pending.

- *Charter Employee Exchanged His Personal Cell Phone Number and Engaged in Overly Familiar Behavior with Students as Defined by CPS's Staff Guidelines (19-00704)*

A charter school security officer had prohibited and overly familiar relationships with students. The security officer admittedly played card games with students at recess, hung out with students at basketball games, and bought food for students on multiple occasions. The investigation also established that the security officer exchanged personal cell phone numbers with students. Two female students called the security officer on his personal cell phone, and he talked with those same two students in a group text conversation as if they were peers. Other staff members reported that the security officer was "very playful with the students." The security officer admitted to treating seventh- and eighth-grade students differently because, at 28 years old, he felt that he was "not much older than" 12- and 13-year-old students.

The investigation determined that, had he been an employee of a district school, his conduct would have violated the Guidelines Regarding Maintaining Professional Staff/Student Boundaries and the Staff Acceptable Use Policy.

The charter school employee was terminated prior to the OIG's investigation. The OIG recommended the matter be referred to CPS for any action it determined appropriate.

CPS OIG FY 2022 Annual Report

- *Vendor Employee Frequently Called and Texted with a High School Student and Gave the Students Rides in Her Car (19-01077)*

A vendor employee engaged in extensive, personal cell phone communications with a high school student over a period of eight days (46 text messages and 10 phone calls, with one phone call lasting for nearly 30 minutes). During these conversations, the employee tried to get the student to open up about personal issues, such as her romantic interests and sexual activity. The employee would also pressure the student to respond to unanswered messages. Additionally, the employee gave the student a ride home in the employee's personal vehicle on at least two occasions without prior consent from the student's mother or school administrators.

The vendor employee was involuntarily terminated by the vendor during the course of the OIG's investigation.

The investigation concluded that the vendor employee's conduct violated CPS's Staff Acceptable Use Policy, CPS's Student Travel Policy, and CPS's Guidelines Regarding Maintaining Professional Staff/Student Boundaries.

However, the investigation determined that the vendor employee's conduct did not constitute sexual harassment or grooming. Although the student was made uncomfortable by the amount and frequency of messages, the communication was not sexual or romantic in nature.

The OIG recommended that CPS personally and permanently debar the vendor employee from working as a CPS vendor, and that her file be flagged in the event she applies for a position with CPS or a charter school, or is otherwise subject to a CPS background check. The Board subsequently flagged her file as requested.

- *Charter School Employee Frequently Hugged Students, Gave Students His Cell Phone Number, and Drove Students in His Personal Vehicle (19-01190)*

An OIG investigation established that a charter school employee bent over and hugged a female student from behind as the student was sitting down, making the student uncomfortable. The employee also frequently hugged students. The student in question believed the employee was attempting to touch her breast while giving her the hug from behind. However, the OIG found insufficient evidence to conclude he in fact made contact with the student's breast or, if it occurred, that he did so intentionally.

Additionally, the OIG investigation established that the charter school employee gave students his personal cell phone number, and on one occasion, he drove multiple students home from a basketball game in his personal vehicle without written consent.

CPS OIG FY 2022 Annual Report

The investigation determined that, had he been an employee of a district school, his conduct would have violated the Guidelines Regarding Maintaining Professional Staff/Student Boundaries, the Staff Acceptable Use Policy, and the Student Travel Policy.

The employee voluntarily resigned from the charter school prior to the OIG issuing its report. The OIG recommended that the matter be referred to the charter school and the Law Department for any action they deemed necessary, including that the employee's file be flagged and the results of this investigation be taken into consideration if he ever applies for a position at CPS or submits to a CPS background check. The Board subsequently placed the charter employee on an internal Do Not Hire list.

- ***Security Officer and Teacher Assistant Failed to Report Allegations of Sexual Misconduct and Failed to Keep the Allegations Confidential (19-01233)***

A high school security officer received credible information from a female student that a SECA had made unwelcome physical contact with her that included grabbing her arm and pulling her toward him. However, the security officer failed to report the student's allegation to the principal or her supervisor. Instead, she mentioned the incident to her co-worker, a teacher assistant, who then told the SECA (the person accused of the misconduct) about the student's complaint against him. The administration only became aware of the complaint because the student personally notified the administration of what occurred.

The investigation established that the SECA did, in fact, make the aforementioned contact with the student, but there was insufficient evidence to establish that the touching was of a sexual nature. There was only a single, brief instance of physical contact, and the student did not indicate that the SECA was flirtatious or suggestive in any manner; the student only indicated that she felt uncomfortable during the interaction.

Even though the SECA did not commit a violation, the security officer's failure to report the student's allegations violated CPS's reporting policy, which requires that mandated reporters notify a principal or supervisor when they learn of information indicating that a staff member is engaging in inappropriately intimate interactions or behaviors with a student. The security officer also violated a similar provision under the Guidelines Regarding Maintaining Professional Staff/Student Boundaries.

Additionally, the security officer and the teacher assistant both violated the reporting policy's requirement that mandated reporters preserve confidentiality by not discussing allegations of sexual misconduct with non-supervisory co-workers. The

CPS OIG FY 2022 Annual Report

security officer violated this provision by mentioning the allegations to the teacher assistant, who, in turn, violated the provision by disclosing them to the SECA.

The OIG recommended that the security officer receive appropriate discipline, and that she, along with the teacher assistant, receive additional training on their reporting and confidentiality obligations. The Board subsequently terminated the security officer and a Do Not Hire designation was placed in her personnel file. The Board took no action against the teacher assistant.

- *Vendor Employee Was Facebook Friends with Current CPS Students (19-01234)*

An OIG investigation established that a counselor associated with a CPS vendor was Facebook friends with current CPS students while he was employed by the vendor.

Although the OIG was unable to interview the counselor regarding these allegations, the OIG was provided with screenshots of the counselor's conversations with a student, and two other students confirmed they were Facebook friends with the counselor while they were CPS students.

The counselor's conduct violated both the Guidelines Regarding Maintaining Professional Staff/Student Boundaries and the CPS Staff Acceptable Use Policy.

The counselor was terminated from his vendor employee prior to the OIG issuing its report. The OIG recommended the counselor be barred from working or volunteering in any CPS school. The Board advised the OIG that the counselor was referred for potential debarment.

- *Elementary School Security Guard Engaged in a Physical Altercation with Two Students (19-01266)*

A security guard working in an elementary school had a physical altercation with two male fourth-grade students. The employee was pulled after the OIG received allegations that the security guard had fondled one of the students during the altercation. However, the investigation found insufficient evidence that the contact was sexual in nature or that the security guard touched the student's crotch or buttocks. Because of the nature of the altercation, however, the security guard's conduct violated CPS's Guidelines Regarding Maintaining Professional Staff/Student Boundaries.

The allegations against the security guard were investigated by CPD, and he was charged with misdemeanor battery but found not guilty after a trial.

The security guard additionally failed to respond to repeated attempts to contact him by the OIG. His failure to cooperate with the OIG's investigation violated Board Rule 4-4(m), which requires District employees to cooperate in OIG investigations.

CPS OIG FY 2022 Annual Report

The OIG recommended appropriate discipline for the security guard, including a determination on whether to reinstate him. The Board subsequently referred the security guard to the Office of Student Protections for additional investigation and informed the OIG that it is considering appropriate discipline.

- *Volunteer Worker Repeatedly Targeted Elementary School Student with Personal Attention (19-01299)*

A volunteer working in an elementary school repeatedly targeted a student with personal attention, both at school and at a convenience store where the volunteer worked. The volunteer tried to engage the student in conversation on multiple occasions, stared at her frequently, and walked behind her in a way that made her feel uncomfortable. When the volunteer saw the student's sister, he would ask her about the student's whereabouts. According to the student, the convenience store owner told her that the volunteer "liked her."

The investigation concluded that the volunteer's conduct, were he a CPS employee, would have violated CPS's Guidelines Regarding Maintaining Professional Staff/Student Boundaries.

However, the evidence was insufficient to find that the volunteer's conduct constituted sexual harassment. The volunteer did not make sexual or inappropriate comments to the students, did not make physical contact or attempts at contact, and did not otherwise engage in conduct to show that his conduct was sexual in nature.

Upon receiving the allegation, CPS blocked the volunteer.

The OIG recommended appropriate discipline, which could amount to relevant training, were the volunteer worker a CPS employee. The OIG further recommended the Law Department take any action it deemed appropriate, including whether to maintain the volunteer block in place. The Board subsequently placed the volunteer on an internal Do Not Hire list.

- *High School Special Education Teacher Contacted Three Students on Social Media and Inappropriately Discussed His Personal Life with Students (19-01465)*

A high school special education teacher sent Facebook messages to three eleventh-grade students. These messages were not sexual in nature. However, the conduct violated CPS rules regarding communicating with students on social media. Additionally, taken as a whole, the conduct exceeded the boundaries of appropriate staff-student relationships in violation of CPS's Guidelines Regarding Maintaining Professional Staff/Student Boundaries.

CPS OIG FY 2022 Annual Report

The teacher also discussed his personal life with female students in a manner that would have violated the Guidelines had they been in effect at the time of the conduct.

In the course of the investigation, multiple students raised concerns about non-sexual but inappropriate conduct by the teacher. Additionally, staff members raised numerous allegations of the teacher engaging in both sexual and inappropriate non-sexual behavior with other staff members. The OIG referred these concerns to the Law Department and the Equal Opportunity Compliance Office.

Upon receiving the allegations, the OIG notified CPS and the teacher was pulled from active duty.

The OIG recommended appropriate discipline. The Board subsequently terminated the teacher and placed a Do Not Hire designation in the teacher's personnel file.

- *Security Officer Gave Small Amount of Money to Sixth-Grade Student for Good Behavior, Constituting a Guidelines Violation (19-01702)*

An elementary school security officer admitted to giving a sixth-grade student a small amount of cash (either \$10 or \$20) as a reward for the student's good behavior. The student and the student's grandmother corroborated this.

The OIG found this conduct violated the 2018 Guidelines Regarding Maintaining Professional Staff/Student Boundaries, which prohibit staff from singling out a student and providing that student with any gifts without prior approval.

During the course of this investigation, the OIG received a second allegation against the security officer involving a different student. That student's mother alleged that the security officer sent her daughter a sexually explicit Instagram message, and provided screenshots of the message exchange. The security officer admitted to sending an explicit sexual proposal on Instagram, but said he sent it to the student's mother.

Neither the student nor her mother provided a statement to the OIG, DCFS, or CPD. Thus, the OIG found insufficient evidence to contradict the security officer's explanation and conclude that the security officer intended the message for the student, rather than the mother. The OIG also found insufficient evidence that the student, and not her mother, received the message.

DCFS was contacted regarding both allegations, and declined to investigate the allegation regarding the gift-giving. DCFS conducted an investigation regarding the sexually explicit message, and the investigation was unfounded due to the lack of cooperation from the student's mother.

CPD also investigated the allegations regarding the sexually explicit message. CPD suspended its investigation due to the lack of cooperation from the student's mother.

CPS OIG FY 2022 Annual Report

The OIG notified CPS, and CPS pulled the security officer from active duty.

The OIG recommended appropriate discipline, up to and including termination. The Board subsequently issued a 10-day suspension, but the security officer was laid off prior to the OIG issuing its report. The security officer was later rehired and required to complete training prior to starting the new position.

- *Charter High School Teacher Communicated with a Student by Cell Phone (19-01726)*

An OIG investigation determined that a high school teacher exchanged more than 90 text messages with a student by cell phone over a 10-month period. About one-third of these messages were sent between 10:00 p.m. and 12:30 a.m.

The investigation also determined that the teacher met several students for lunch, outside of school. However, this lunch was planned as part of a class project in the teacher's class and was planned by a student to celebrate the students' graduation. Each student that attended paid for their own meal and used their own means of transportation to and from the lunch. Additionally, there was insufficient evidence that the teacher connected with students on social media, or that the teacher transported students in her personal vehicle or did so without parental consent.

The teacher's conduct, had she been a CPS employee, would have violated the CPS Staff Acceptable Use policy. The OIG recommended appropriate discipline for the teacher.

- *Former Hourly Employee Communicated with Students on His Personal Email Address, Social Media, and Cell Phone (19-01728)*

An OIG investigation established that, during the course of his CPS employment between 2016 and 2018, a former hourly employee communicated with students using his personal email address, which violated the Staff Acceptable Use Policy in effect at the time. The former employee also communicated with a student on his cell phone and connected with students on social media while he was a CPS employee. However, the students interviewed told the OIG that the employee never said anything that was flirtatious or otherwise made them feel uncomfortable. This conduct would have violated CPS's current Staff Acceptable Use Policy if the current policy had been in effect at the relevant time.

The hourly employee resigned from CPS prior to the OIG issuing its report.

The OIG recommended the Law Department flag the employee's file so this case is considered in the event he applies for a CPS position or is otherwise subject to a CPS background check. The Board subsequently flagged the employee's file as requested.

CPS OIG FY 2022 Annual Report

- *High School Staff Member Commented on Two Female Students' Clothing in a Manner That Made the Students Uncomfortable, Entered a Girls' Restroom Knowing That Female Students Were Already Present (19-01743)*

A high school staff member looked at two female students' clothing and told them that their clothing was inappropriate and overly revealing. While the staff member may have been responsible for enforcing the dress code, he did so in a manner that made the students uncomfortable. The staff member also entered a girls' bathroom on one occasion knowing that female students were inside.

Insufficient evidence was found to show that the staff member engaged in any sexual or otherwise improper conduct with a female student; a rumor concerning this circulated the school, but no concrete allegation was ever made. Review of respective social media pages showed no connection between the student and staff member.

The staff member's conduct violated CPS's Guidelines Regarding Maintaining Professional Staff/Student Boundaries, but did not constitute a violation of CPS's Comprehensive Non-Discrimination Title IX and Sexual Harassment Policy. Although students reported feeling uncomfortable with the staff member's conduct, their allegations did not offer sufficient detail to establish the staff member's conduct was sexual in nature.

The staff member was terminated and a Do Not Hire designation was added to his file during the course of the OIG's investigation, for reasons unrelated to this investigation. Therefore, the OIG recommended no further action.

- *High School Security Officer Flirted with Female High School Students, Prompting Complaints from Other Students (19-01762)*

A high school security officer flirted with female students, put his arm around them, and stared at them in a sexual manner. Several students complained in front of their teacher about the security officer's flirtatious behavior, but the teacher — who was dating the security officer — failed to promptly report the allegations to the administration. Instead, the teacher casually mentioned the students' complaints to a coworker, who then notified the administration.

The security officer's flirtatious conduct with students violated CPS's guidelines on maintaining appropriate boundaries with students. The OIG recommended that he receive appropriate discipline and retraining on the Standards of Conduct for Maintaining Professional Boundaries between Staff and Students. The OIG recommended that the teacher receive appropriate discipline for failing to report the students' complaints, and that she undergo retraining on the applicable reporting protocols.

CPS OIG FY 2022 Annual Report

The Board subsequently terminated the security officer and placed a Do Not Hire designation in his file. The Board issued a Level Two Performance Improvement Plan for the teacher.

- *Elementary School Student Lived with Teacher During Summer 2019, but No Evidence That Teacher Engaged in Any Sexual Conduct Towards the Student (19-01822)*

During the summer of 2019, an elementary school teacher allowed a student to live in her personal residence with her. Although the teacher and the student's family denied this arrangement, the student gave a detailed account of living with the teacher, including where he slept and the separate living and bathroom quarters for himself and the teacher, and further noted the purpose of this arrangement was so he could successfully complete summer school and graduate eighth grade. The student reported no conduct of a sexual nature, other misconduct, or any conduct from the teacher that made him uncomfortable. The teacher also gave students rides in her personal vehicle, but this was done with prior parental permission, and there was no evidence that the teacher drove a student alone in her vehicle.

The teacher's conduct violated CPS's Guidelines Regarding Maintaining Professional Staff/Student Boundaries. Although the teacher's actions appear to be undertaken with the student's well-being and education in mind, it nonetheless crossed the line of appropriate boundaries between a staff member and student.

During the course of the OIG's investigation, allegations of the teacher's conduct potentially meriting a staff pullout were raised, and CPS subsequently pulled the staff member approximately six months after the initial allegation.

The OIG recommended appropriate discipline and reinstatement for the teacher. The Board subsequently filed dismissal charges against the teacher, based on other misconduct, and termination hearings are pending with ISBE.

- *Day-to-Day SECA Made Comment with a Sexual Connotation Regarding Female Students to Fellow Staff Member (19-01905)*

The OIG found that a day-to-day SECA told a custodian that some of the female students had "nice bodies" and that they did not dress the same way back when he was a student. While there were no other witnesses to the comment and the SECA denied the allegations, the custodian described the interaction in detail and was consistent with his statements to the OIG.

The OIG found no evidence that the SECA directed his comments to a particular student or that he interacted inappropriately with a particular student in this case. However, the OIG found the plain language of the comments indicated a sexual

CPS OIG FY 2022 Annual Report

connotation, and such comments are inappropriate. The OIG found the SECA engaged in conduct unbecoming a Board employee.

The OIG notified CPS that the SECA should be blocked from substituting at CPS, and CPS blocked the SECA from substituting.

The OIG recommended appropriate discipline for the SECA. The SECA was not active, so the Board subsequently flagged his personnel file for a three-day suspension if he is rehired.

- *Teacher Touched Male Students' Hair and Purchased Items for Students (19-02004)*

An OIG investigation found that an elementary school teacher touched male students' hair, purchased food for a group of students involved in his after-school tutoring program, and provided two students with unstable housing situations with food, school supplies, and clothing.

The teacher admitted to some of this conduct, but denied touching/rubbing the hair of male students. However, the students gave corroborative descriptions of the teacher's actions, and a fellow teacher observed the teacher touch male students' hair.

This conduct violated CPS's Guidelines Regarding Maintaining Professional Staff/Student Boundaries by engaging in inappropriate physical contact with students.

The teacher's gifts to the students technically violated the Guidelines, but the investigation found that the misconduct was minor and motivated out of compassion for the students who were experiencing unstable housing. The OIG recommends staff members in similar circumstances reach out to their administration for assistance. In this case, the school had dedicated staff and resources for assisting unhoused or financially unstable students.

The OIG notified CPS about the allegations, and CPS determined that the teacher should be pulled from active duty.

The OIG recommended appropriate training or discipline for the teacher. The Board subsequently issued a second warning resolution.

- *Special Education Teacher Was Friends on Facebook with Current CPS Students (19-02035)*

An OIG investigation determined that a special education teacher was Facebook friends with current CPS students and posted a Facebook comment about a colloquial term for oral sex in which she tagged at least one CPS student.

CPS OIG FY 2022 Annual Report

The teacher said she did not recall making the Facebook post and said someone else tagged the student; however, the screenshots of the Facebook post determined this was false. The teacher admitted that she was friends with some students on Facebook prior to the 2018 Staff Acceptable Use policy going into effect and that she failed to remove them as friends after the policy was implemented.

The investigation established that the teacher's conduct violated the CPS Staff Acceptable Use policy. Additionally, the teacher engaged in sexual banter, jokes, or innuendoes and failed to maintain a strictly professional relationship with students by tagging a student in an inappropriate Facebook post, violating the Guidelines Regarding Maintaining Professional Staff/Student Boundaries.

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

- *Custodial Worker Hugged a Young Student Multiple Times and Gave Her Candy (19-02183)*

A custodial worker at an elementary school hugged a female student on multiple occasions, patted the student's head, and gave her chocolate candies. The conduct was reported by a teacher, who witnessed the hugging, and by the student's mother, who learned about the candy from the student. Because the allegations suggested the possibility of grooming behaviors, the OIG notified the District and CPS determined that the custodial worker should be pulled pending the OIG's investigation.

Although there was insufficient evidence to conclude that the custodial worker was grooming the student for sexual abuse, his conduct toward her violated the Guidelines Regarding Maintaining Professional Staff/Student Boundaries, which prohibit staff members from giving gifts to particular students or engaging in any type of inappropriate physical contact with them.

Based on the OIG's notification, CPS pulled the custodial worker from active duty while the investigation was pending. At the conclusion of the investigation, the OIG recommended appropriate discipline for the custodial worker. The Board subsequently reinstated the custodial worker and suspended him for one day without pay.

- *School Clerk Engaged in Extensive Electronic Communication with a Female Student and Lied to the OIG About These Communications (19-02255)*

An OIG investigation determined that a school clerk and a student exchanged over 40,000 text messages and over 2,000 phone calls between February 2019 and November 2020, and the student sent the clerk 11 picture messages from August

CPS OIG FY 2022 Annual Report

2018 to January 2019. The student and clerk lied to the OIG about these voluminous phone contacts.

There was also some credible evidence that the clerk and student had sex on multiple occasions, starting while she was a CPS student. However, the OIG found insufficient evidence to establish that they had sex while she was a CPS student under a preponderance of the evidence standard.

The OIG notified CPS about the allegations and CPS pulled the clerk.

The OIG recommended termination of the clerk's CPS employment and placement of a Do Not Hire designation in their personnel file. The clerk subsequently resigned and a Do Not Hire designation was placed in their personnel file.

- *A Volunteer and a SECA Separately Described a Female Student as "Pretty" to Other Students; the Volunteer Further Told Members of the Basketball Team That They Should Date the Student, and the SECA Made Brief Physical Contact with the Student on a Separate Occasion (19-02259)*

An OIG investigation determined that a volunteer coach made inappropriate, sexualized comments about a female student, calling her "pretty" in front of members of the boys' basketball team, and encouraging them to date her. The volunteer generally acknowledged the incident and multiple students gave generally similar descriptions of the incident.

The volunteer was blocked from returning to CPS properties when it was determined that his volunteer status had expired.

The volunteer's conduct violated CPS's Guidelines Regarding Maintaining Professional Staff/Student Boundaries. Were the volunteer a CPS employee, the OIG would have recommended appropriate discipline, and further recommended that the volunteer remain blocked from CPS properties until his volunteer application was officially approved and renewed. The Board subsequently placed the volunteer on an internal Do Not Hire list.

The investigation also determined that a SECA told another student that this female student was pretty, and put his hand on the female student's back on a separate occasion. The student disclosed these incidents to a staff member while relaying her allegation regarding the volunteer, after the staff member asked if she had anything further to report. Although the SECA denied physical contact with the student or calling the student pretty, the student's recollections were credible and included details and locations for the comments.

CPS OIG FY 2022 Annual Report

The SECA's conduct violated CPS's Guidelines Regarding Maintaining Professional Staff/Student Boundaries. The OIG recommended appropriate discipline for the SECA. The Board informed the OIG that appropriate discipline will be issued when the SECA returns from a leave of absence.

Two staff members interfered with the OIG's investigation. The then-assistant principal told OIG investigators that he had already spoken to the student and that no further investigation was necessary. The assistant principal also attempted to sit in on the student's interview. Additionally, the student said that a coach had told her "Next time, come to me first," which she understood to mean that the coach could take care of similar issues without "outside interference."

The assistant principal resigned from CPS in August 2020. The OIG recommended that the Board 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, as well as training regarding OIG investigations and his obligations to cooperate with the OIG.

The coach became a city-wide, hourly employee, and CPS records indicated he only worked one day during the 2021–22 school year. The OIG recommended that he receive training on CPS Staff Acceptable Use Policy if he returns to an active role within CPS.

The Board informed the OIG that it is considering appropriate discipline for the coach and the assistant principal.

- *Vendor Employee Passed a 14-Year-Old Student a Note Calling Her "Pretty AF" and Asked Her to Connect with Him on Social Media (19-02284)*

An OIG investigation determined that a vendor employee gave a 14-year-old seventh-grade student a note stating that she was "pretty AF." The note included the employee's Facebook and Snapchat account information.

The vendor employee's actions constituted sexual harassment in violation of the CPS Comprehensive Non-Discrimination, Harassment, and Retaliation Policy. Although the misconduct was a single occurrence, the note clearly represents sexual advances toward a 14-year-old student, and is objectively severe conduct that constitutes sexual harassment.

The OIG recommended that the vendor employee remain blocked from entering any CPS property, and that CPS flag his file for review and consideration of this matter in the event he applies for a position with CPS or a charter school, or is otherwise subject to a CPS background check. The OIG further recommended additional

CPS OIG FY 2022 Annual Report

training for the vendor company on CPS policies regarding appropriate conduct on CPS property, specifically relating to interactions with students.

The Board subsequently added the vendor employee to an internal Do Not Hire list and issued an individual ban from the school for the vendor employee. The Board additionally informed the OIG that the vendor no longer contracts for the District.

- *Custodial Worker Accused of Staring at Female Students Failed to Cooperate with the OIG's Investigation (19-02313)*

Three students alleged that an elementary school custodial worker stared at female students, and the custodial worker failed to cooperate with the OIG's investigation of this ultimately unsubstantiated allegation. The custodial worker did not respond to repeated email, telephone, and postal mail requests for an interview. Further, he was dismissive of the principal's request that he respond to the OIG, claiming that he was unfamiliar with email and therefore unable to reply to the OIG's messages.

The underlying staring allegation was not substantiated. Although the similarity of complaints from multiple students established a pattern of staring, there was insufficient evidence to establish that the staring was sexual in nature. The students did not indicate that the custodial worker looked at any particular body parts. Further, two of the three students said that the custodial worker's behavior never made them feel uncomfortable, and the third student acknowledged that she never caught him staring at her, and only felt like he was doing so.

The custodial worker's failure to cooperate violated CPS board rules, which require that all CPS employees cooperate with OIG investigations.

If staff members routinely failed to cooperate with the OIG, the OIG's ability to investigate complaints of sexual misconduct that it receives would be severely impaired. Recognizing the importance of deterring this behavior, the OIG recommended that the custodial worker be disciplined. The Board subsequently issued a written reprimand and suspended the custodial worker for 10 days without pay.

- *High School Coach Transported Students in His Personal Vehicle, Communicated with Students by Personal Cell Phone, Allowed a Student to Stay Overnight at His Personal Residence, and Allowed an Unapproved Volunteer to Engage in Similar Activity (19-02426)*

A charter high school coach (who was also a CPS employee as a teacher at an elementary school) provided rides to and from practice to students in his personal vehicle, communicated with students by personal cell phone, and allowed a student to stay overnight at his personal residence. Further, the coach was aware that a

CPS OIG FY 2022 Annual Report

volunteer, who had not been vetted through CPS's volunteer approval procedures, engaged in similar behavior.

Both the coach and volunteer acknowledged transporting members of the girls' basketball team in their personal vehicles. While some students stated that their parents gave verbal permission for at least some rides, no student said that their parents gave written permission (despite the charter's athletic director stating that there is a specific consent form for a coach transporting a student in their car), and one student told the OIG that parents never received an official permission slip regarding rides. Due to the number and frequency of rides, the OIG was unable to determine which, if any, parents were informed of, or provided consent for, any specific ride.

Both the coach and volunteer also communicated with students via their personal cell phones. Extensive phone records show both the coach and volunteer communicating with multiple students.

It was also found that one student stayed overnight at the coach's residence, and four students stayed overnight at the volunteer's residence.

Despite the coach and volunteer exchanging over 1,000 phone communications with students, there was insufficient evidence to conclude that any sexual misconduct from either the coach or volunteer occurred, given that there were no allegations regarding either adult having an inappropriate verbal or physical interaction with any student.

There was no evidence that the volunteer had ever been subject to a background check. The coach claimed that he told the athletic director about the volunteer, but the athletic director did not say anything about volunteer procedures and the coach "never pushed it." The athletic director denied knowing about the volunteer.

The investigation found that had the coach been acting in his capacity as a CPS employee (as a teacher at an elementary school), his conduct would have violated CPS's Acceptable Use Policy, CPS Travel Policy, and CPS's Guidelines Regarding Maintaining Professional Staff/Student Boundaries.

Similarly, the investigation found that were the volunteer officially an approved CPS volunteer, his conduct would have violated CPS's Acceptable Use Policy, CPS Travel Policy, and CPS's Guidelines Regarding Maintaining Professional Staff/Student Boundaries.

As the investigation progressed, the OIG notified CPS about the allegations and CPS pulled the coach approximately one month after the initial allegations were made.

CPS OIG FY 2022 Annual Report

The OIG recommended that the charter school and Law Department take any actions they deemed appropriate in regards to the coach. The Board subsequently reinstated the coach and issued a warning resolution. The coach ultimately resigned from CPS, however, after the district initiated discharge proceedings against him following a second substantiated OIG investigation. That investigation involved the coach's unauthorized secondary employment, violation of the employee residency policy, and other misconduct, and is summarized below in Section 5.D. of this report under case number 21-01058.

The OIG recommended the volunteer be blocked from further volunteering and that this report be taken into consideration should the volunteer ever be subject to a CPS background check. The Board subsequently placed the volunteer on an internal Do Not Hire list.

- *High School SECA Touched Students in a Way That Made Them Uncomfortable (19-02460)*

A high school SECA frequently touched students' shoulders in a way that made them feel uncomfortable, but not in a manner that was intended to be sexual. The SECA also targeted a group of female students for unwanted and personal attention in violation of the Guidelines Regarding Maintaining Professional Staff/Student Boundaries. However, there was no evidence that the SECA's conduct had a sexual intent.

During the course of the investigation, the SECA also admitted to secondary employment that he did not report to CPS.

The OIG recommended appropriate discipline for the SECA, and/or training on maintaining a professional relationship and appropriate boundaries with students. The OIG also referred the SECA's secondary employment to the Ethics Advisor in order to ensure that he obtained proper approval in line with the Ethics Guidelines. The Board subsequently suspended the SECA for 10 days without pay, which was later reduced to seven days without pay.

- *Middle School Teacher Communicated with a Student Through Social Media, Communicated with Three Other Students Through Their Cell Phones, Hugged Students, and Addressed Some Students by Nicknames (19-02468)*

A middle school teacher communicated with a seventh-grade student on Facebook, and the two were also friends on Facebook. During a Facebook conversation, the student sent the teacher pornographic images, to which the teacher replied that the images were not appropriate. The teacher also communicated with three additional students through their cell phones. Additionally, the teacher confirmed that she called students by nicknames and gave them hugs.

CPS OIG FY 2022 Annual Report

The teacher's communications with students through their cell phones and through Facebook violated CPS Acceptable Use Policy. The teacher's use of nicknames and hugging of students violated the Guidelines Regarding Maintaining Professional Staff/Student Boundaries.

The OIG recommended appropriate discipline for the teacher, and/or training on maintaining a professional relationship and appropriate boundaries with students as well as on electronic communications with students. The OIG also referred allegations that the teacher used inappropriate language to the Office of Student Protections.

The teacher resigned during the investigation and the Board flagged her file for discipline in the event that she returns to the District.

- *Elementary School Teacher Allowed Two Students to Stay Overnight at His Home, Took Them on a Weekend Trip, and Bought Them Clothes, Shoes, and Meals (19-02473)*

A male elementary school teacher allowed two male, seventh-grade students to stay overnight at his home; took the students to a hotel for an overnight stay as part of a weekend birthday celebration for one of the students; brought the students to sporting events and shopping malls; bought them gifts, including clothes, shoes, and meals; and gave one of the students a cell phone and communicated with him electronically via phone calls, text messages, and Facebook.

The OIG notified CPS about the allegations, and CPS promptly pulled the teacher from active duty pending the OIG's investigation.

After a thorough investigation, the OIG found insufficient evidence to establish that any of the teacher's interactions with the students were sexually motivated. The students' parents were aware the teacher hosted the students and took them on outings, and neither student alleged any sexual conduct. Nonetheless, the teacher's conduct violated the Guidelines Regarding Maintaining Professional Staff/Student Boundaries, which strictly prohibit targeting a particular student or students for personal attention or friendship beyond the normal staff member-student relationship, or singling out any one student and providing them with gifts without the prior approval of the school administrator.

The teacher voluntarily resigned from his CPS employment while the OIG's investigation was pending. The OIG recommended that a Do Not Hire designation be added to his personnel file. The Board subsequently added a Do Not Hire designation to his personnel file.

CPS OIG FY 2022 Annual Report

- *A Military Instructor and His Supervisor Failed to Properly Report Knowledge of a Co-Worker's Sexual Misconduct Involving a Student (19-02538)*

A sergeant at a CPS military academy received credible information from a female student that something “weird” was going on between a military instructor and another female student, raising the concern that the military instructor may have been grooming that female student for sexual abuse, but the sergeant failed to report the information to the school’s administration.

In April 2019, the OIG investigated allegations that the military instructor was staring at a female student in a sexual manner. The OIG investigated, but the female student denied that she experienced any inappropriate conduct from the instructor. However, in December 2019, the female student made a police report alleging that she had, in fact, been “dating” the military instructor, who threatened to kill her and her family if she disclosed the relationship to anyone. CPD informed the school’s administration, who, in turn, notified the OIG. The OIG then opened a new investigation of the military instructor and notified the District, and the instructor was pulled from active duty.

Shortly after the female student made the police report, her allegations were published in the news. According to the article, an unidentified co-worker witnessed the female student and the military instructor alone in the instructor’s vehicle, and the co-worker told the military instructor to end the relationship. An OIG investigation determined that the co-worker referenced in the article was the aforementioned sergeant.

The OIG’s investigation revealed that one of the female student’s classmates had informed the sergeant that “something weird” was going on between the military instructor and the student. However, the sergeant did not notify DCFS or the school’s administration. Instead, he discussed the situation with several co-workers, and he reported it to his superior officer, the Executive Director of Military Instruction for Chicago Public Schools. The Executive Director advised the sergeant to address the allegation directly with the military instructor, but the Executive Director did not notify DCFS or the administration.

Per his instructions from the Executive Director, the sergeant told the military instructor that he was aware of rumors that the military instructor was having inappropriately intimate interactions with a female student, and that such interactions needed to stop. However, no further action was taken, and the military instructor’s involvement with the student continued until the student finally reported threats of violence to CPD.

The failure of the sergeant and the Executive Director to report the allegation to DCFS and the administration violated CPS’s reporting policy, which requires that mandated

CPS OIG FY 2022 Annual Report

reporters immediately call DCFS whenever there is reasonable cause to believe that a child known to the reporter in the reporter's official capacity may have been abused.

Additionally, both the Executive Director and the sergeant violated the policy's requirement of preserving confidentiality of sexual allegations. The sergeant violated the policy by discussing the student's allegations with the military instructor and other non-supervisory co-workers, and the Executive Director violated the policy by advising the sergeant to address the matter with the military instructor directly.

The sergeant retired from CPS while the OIG's investigation was pending. The OIG recommended appropriate discipline for the Executive Director, up to and including termination.

The Board subsequently added a Do Not Hire designation to the sergeant's personnel file, and the Executive Director resigned from CPS.

The OIG also recommended that all JROTC personnel receive additional training on their reporting obligations and that OSP and/or the Law Department promptly notify the Executive Director of the CPS JROTC program, the U.S. Army JROTC chain of command and the appropriate principal, whenever they receive allegations involving CPS military personnel that do not result in the staff member's removal from school.

- *Vendor Employee Made an Inappropriate Comment to a Student (20-00097)*

An OIG investigation determined that a vendor employee asked a fourth-grade student why her lips were chapped, and then stated that the student's lips were chapped because she was "sucking dick." Multiple students all reported hearing the comment. However, the investigation determined there was insufficient evidence to support a finding that the vendor employee touched a student on the leg or that the vendor employee cursed in front of or directed curse words at students.

The investigation also found insufficient evidence to conclude that any staff member failed to satisfy their duty to report. The student alleged that she told a second vendor employee about the leg touching incident, and another student said the same vendor employee overheard the first student disclosing the "sucking dick" comment." There was insufficient evidence that the second vendor employee failed to report these allegations; however, she did not cooperate with the OIG during the investigation.

Although the comment contained sexual connotations, the single incident was not pervasive or severe enough to rise to the level of sexual harassment, as defined by CPS policy. However, the conduct violated CPS's Guidelines Regarding Maintaining Professional Staff/Student Boundaries.

CPS OIG FY 2022 Annual Report

Upon receiving the allegation, the OIG notified CPS, and CPS promptly blocked the vendor employee.

The OIG recommended that CPS personally and permanently debar the vendor employee from working as a CPS vendor. The OIG also recommended that CPS flag the vendor employee's file for review and consideration of this matter in the event that he applies for a position with CPS or a charter school, or is otherwise subject to a CPS background check. The Board subsequently permanently debarred the vendor employee and added him to an internal Do Not Hire list.

The OIG additionally recommended that the vendor certify that the second employee, who failed to cooperate with the OIG, be trained regarding vendors' responsibility to cooperate with OIG investigations and CPS reporting policies. The Board notified the OIG that the second vendor employee will receive training.

- *High School SECA and Coach Communicated with Students Through Their Cell Phones (20-00117)*

A high school SECA, who was also a basketball coach, exchanged text messages with members of the boys' basketball team. Several students reported that they exchanged text messages with the SECA about team practices and games. There were no allegations that any of the messages were sexual or otherwise inappropriate. During the course of the investigation, the SECA lied to the OIG about whether he gave a student a ride in his car, despite having permission from the student's parent to do so.

The SECA's communications with students through their cell phones violated CPS's Acceptable Use Policy.

The OIG recommended appropriate discipline for the SECA for lying to the OIG. The OIG also referred other allegations to CPS. The Board subsequently suspended the SECA for two days without pay, which was later reduced to one day without pay.

- *Teacher Made Brief, Non-Sexual Physical Contact with Students on Multiple Occasions (20-00139)*

A high school teacher made non-sexual physical contact with multiple female students, which included touching them on their chins, as well as moving one's student's hair on one occasion. During another incident, the teacher picked up a female student's leg and placed it on his leg.

Despite the female student not specifically alleging any physical contact, multiple students recalled seeing the leg-touching interaction, and the student herself did not specifically deny any physical contact from the teacher. Similarly, multiple students

CPS OIG FY 2022 Annual Report

reported that they witnessed the teacher touch others on their chins, or were themselves touched by the teacher on their chin.

The investigation concluded that the teacher's conduct violated CPS's Guidelines Regarding Maintaining Professional Staff/Student Boundaries.

Upon receiving the allegation, the OIG notified CPS, and CPS promptly pulled him from active duty.

The OIG recommended appropriate discipline, including a determination of whether to reinstate the teacher to active duty. The Board subsequently reinstated the teacher and issued a Level Two Performance Improvement Plan.

- *High School Teacher Made Brief Physical Contact with a Female Student, Which Made the Student Uncomfortable (20-00196)*

A high school teacher at a charter school touched a student on two occasions, which made the student uncomfortable. The contact included touching the student's hand/forearm and back/shoulders, and briefly patting her thigh. The teacher acknowledged making physical contact with students' backs or hands, but denied that he had any inappropriate intent when doing so. The teacher denied touching a student's face, arms, or thigh. Additionally, the teacher looked at a separate student, which also made her uncomfortable. However, there was no evidence that any of this conduct was done with a sexual purpose or intent.

Although there was no sexual intent behind the teacher's touching, it violated CPS's Guidelines Regarding Maintaining Professional Staff/Student Boundaries.

The OIG notified CPS about the allegations and the District recommended to the charter network that the teacher be pulled from active duty pending further investigation.

Were the teacher a CPS employee, the OIG would have recommended reinstatement and further training regarding appropriate staff-student boundaries. The charter subsequently notified the OIG that the teacher would return for the 2022-23 school year after receiving training on appropriate student/staff boundaries.

- *Elementary School Substitute Teacher Rubbed the Hands of a Student as They Rested on the Student's Lap, Which Made the Student Scared and Nervous (20-00281)*

A male elementary school substitute teacher briefly touched and rubbed a female student's hands while they were on her lap, making her scared and nervous. The incident was witnessed by several other students who corroborated her version of what happened.

CPS OIG FY 2022 Annual Report

However, insufficient evidence was found to substantiate allegations that the substitute teacher followed the student-complainant to the bathroom and looked inside. Another teacher assigned to the same classroom stated that the substitute never left the classroom.

The investigation also did not establish other allegations about the substitute teacher, namely that he wrapped his legs around the student-complainant's leg or stared at students in a sexual or otherwise inappropriate way.

The substitute teacher's conduct violated CPS's Guidelines Regarding Maintaining Professional Staff/Student Boundaries.

The substitute teacher was blocked from receiving assignments at CPS schools while the investigation was pending. At the close of the investigation, the OIG recommended appropriate discipline for the substitute teacher. The Board subsequently terminated the substitute teacher and placed a Do Not Hire designation in his personnel file.

- *Teacher Assistant Sexually Harassed Female Students and Made Unwelcome Physical Contact with a Female Student (20-00285)*

An OIG investigation established that an elementary school teacher assistant showed a female student a picture of himself in which he posed bare-chested. But the investigation did not establish that there was any sexual intent behind showing the student the picture.

The investigation also revealed that the teacher assistant made female students uncomfortable with comments about their personal appearance. These comments violated the Comprehensive Non-Discrimination Policy, which prohibits CPS staff from making statements based on a student's sex or gender in a manner that interferes with their participation in educational activities.

The teacher assistant also made unwelcome physical contact with a female student while he searched her for a cell phone. The search itself violated the district's policies, but the investigation did not reveal that there was any sexual motive behind it.

The OIG recommended that the teacher assistant receive appropriate discipline, up to and including termination. The Board subsequently initiated disciplinary proceedings, which remain pending.

- *"Volunteer" Coach Made Inappropriately Intimate Physical Contact with Students, Was Never Cleared to Volunteer for CPS (20-00326)*

A volunteer assistant wrestling coach stepped on a female student's buttocks while the student was lying on the ground stretching. The volunteer then used his hand to

CPS OIG FY 2022 Annual Report

wipe away his footprint from the student's shorts. The touching involved intentional physical contact with a student's buttocks. There were other instances of the volunteer hugging the student and, on at least one occasion, greeting her with a kiss on the cheek. The volunteer's conduct violated the Guidelines Regarding Maintaining Professional Staff/Student Boundaries, which prohibit "any type of inappropriate physical contact with students."

The coach never submitted to a criminal background check and was never approved as a CPS volunteer, constituting an obvious violation of CPS's Volunteer Policy on his part as well as by the schools that had him engage with students without confirming that he had been properly vetted.

Upon receiving the allegations, the OIG notified CPS the volunteer was blocked pending the investigation.

Because of the violations outlined above as well as the verbal aggression that the volunteer directed at investigators during his interview, the OIG recommended that the block be made permanent. The Board permanently blocked the volunteer from working at any CPS school and added him to an internal Do Not Hire list.

The OIG also recommended that the high school administration and staff members who engaged the services of the volunteer receive training on the policies and requirements related to CPS volunteers.

- ***Security Officer Frequently Ordered Food for Students; SECA Drove Students in Her Personal Vehicle Without Consent (20-00360)***

An OIG investigation established that a high school security officer frequently ordered food to be delivered to school for students. The security officer's actions violated CPS's Guidelines Regarding Maintaining Professional Staff/Student Boundaries, which prohibit staff members from singling out students and providing any one student with gifts without school administration approval. The security officer admitted to ordering food for students on multiple occasions, and paying for a student's order on at least one occasion.

The investigation also established that a SECA at the same school drove a group of three students to a Chicago Bulls game in her personal vehicle without written consent from the students' guardians and school principal. The SECA also messaged with a student on Facebook and failed to maintain appropriate boundaries with at least one student. This conduct violated the Student Travel policy, Staff Acceptable Use policy, and Guidelines.

The OIG recommended appropriate discipline for both the security officer and the SECA. The Board subsequently issued a three-day suspension for the SECA. The security officer was referred to the Office of Student Protections for additional

CPS OIG FY 2022 Annual Report

training. The Board subsequently informed the OIG that the Office of Student Protections made multiple attempts to schedule training for which the employee failed to appear for and that discipline will be issued.

- *Charter School Teacher Stood Inappropriately Close to a Student and Made Comments That Made Students and Staff Uncomfortable (20-00486)*

An OIG investigation established that a charter high school teacher stood inappropriately close to a student, while the student was bending over, to the point where the teacher's body was touching the student. The student reported that he felt the teacher's stomach and crotch against his buttocks. The student was consistent and credible with his statements, and two other students corroborated observing the teacher's body touching the student's body.

Additionally, multiple students, as well as staff members, reported hearing the teacher make inappropriate and boundary-crossing comments to students while in the classroom (such as making unspecified negative comments about homosexual people, making unspecified comments about a female student's body, saying that his wife kicked him out of the house, and saying that he had gotten high on dry-erase markers). While many of the students' allegations lacked specificity, the staff members' reports of similar statements were enough to establish a pattern.

The teacher also admitted to meeting students outside of the classroom for non-educational purposes on at least three occasions. The teacher visited a student at home when the student was having problems and was truant from school, visited a student at home to buy a webcam from the student, and took a student to the Harold Washington Library.

The teacher further admitted to providing his personal cell phone number to students and texting with students on three occasions (twice for school-related matters, and once when students texted him as a prank). At the time, the charter school encouraged staff members to text students.

The investigation determined that the teacher's conduct would have violated the Standards of Conduct for Maintaining Professional Boundaries between Staff and Students and the CPS Acceptable Use Policy if he were a CPS employee.

The OIG notified CPS, and the District recommended that the charter network pull the teacher from active duty pending the investigation.

The OIG recommended the matter be referred to the charter school and CPS for any appropriate actions, up to and including placing a Do Not Hire designation in the teacher's personnel file. The charter school subsequently terminated the teacher.

CPS OIG FY 2022 Annual Report

- *Elementary School Teacher Engaged in Group Chat with Students and Played an Online Video Game with a Student (20-00681)*

An OIG investigation established that an elementary school teacher engaged in informal group chats with students he coached, and text messaged and played online video games with another CPS high school student.

The teacher's conduct violated CPS's Staff Acceptable Use policy, which prohibits staff members from communicating with students electronically outside of authorized CPS network systems. His conduct also violated the Guidelines Regarding Maintaining Professional Staff/Student Boundaries, which prohibit staff from targeting a particular student or students for personal attention or friendship.

The OIG recommended appropriate discipline for the teacher. The Board subsequently issued a warning resolution to the teacher.

- *High School Lunchroom Manager Made Repeated Comments to a Female Student About Her Physical Appearance and His Desire to Touch Her Thigh, and Asked Her if She Had a Boyfriend or Dated Older Men (20-00683)*

A high school lunchroom manager made a series of escalating, sexualized comments to a female student. The comments included asking the student if she had a boyfriend and if she dated older men, telling the student he wanted to touch her thigh, and commenting on the student's clothes and physical appearance.

The lunchroom manager's conduct constituted sexual harassment as defined by CPS's Comprehensive Non-Discrimination, Harassment, and Retaliation Policy. The lunchroom manager's questions to the student were sexual in nature, and he engaged in a pattern of conduct that escalated in severity over time. The student consistently stated that this conduct impacted her access to or participation in education activities and described the lunchroom manager's conduct as pervasive and persistent. The conduct also violated CPS's Guidelines Regarding Maintaining Professional Staff/Student Boundaries.

The OIG notified CPS, and the District pulled the lunchroom manager from active duty.

The OIG recommended termination of the lunchroom manager's CPS employment and a placement of a Do Not Hire designation in his personnel file. The lunchroom manager retired and the Board added a Do Not Hire designation to his personnel file.

CPS OIG FY 2022 Annual Report

- *Female Elementary School Teacher Spanked a Male Student as Corporal Punishment (20-00720)*

An OIG investigation determined that a female teacher spanked a male student on the buttocks; the contact was inappropriate corporal punishment but was not sexual in nature. Another staff member witnessed the incident.

The teacher's conduct violated CPS's Guidelines Regarding Maintaining Professional Staff/Student Boundaries. However, there was no evidence to show the teacher engaged in sexual harassment. At the outset of the investigation, the District pulled the teacher from active duty.

The OIG recommended appropriate discipline for the teacher with training regarding appropriate student boundaries. The teacher was referred to the Office of Student Protections and received additional training.

- *Day-to-Day Substitute Sent Inappropriate Messages to a High School Student on Facebook Messenger (20-00929)*

A day-to-day substitute sent two inappropriate messages to a high school senior through his personal Facebook account. The inappropriate messages were "Hey baby" and "How are you sexy." The substitute's conduct violated the Staff Acceptable Use Policy and the Guidelines Regarding Maintaining Professional Staff/Student Boundaries. Upon receiving the allegation, the OIG notified CPS, and the substitute was blocked from active duty.

The OIG recommended termination of the substitute's CPS employment and placement of a Do Not Hire designation in his personnel file. The OIG further recommended that CPS determine if notifying the Illinois State Board of Education is appropriate. The Board subsequently terminated the employee, added a Do Not Hire designation to his personnel file, and notified ISBE.

- *Teacher Made Inappropriate Comments Regarding a Student's Clothing and Physical Appearance, But Did Not Engage in Grooming Behaviors (20-01290)*

A high school teacher frequently made remarks to a female high school student about the clothes she wore, told her that she looked good on multiple occasions, and told her that another student was jealous of her because she was beautiful. These comments, while inappropriate, were not pervasive, persistent, or severe enough to rise to sexual harassment or misconduct, as defined by CPS policy. Further, insufficient evidence was found to support concerns raised by other staff members that the teacher engaged in grooming behaviors; the concerns raised against the teacher were general in nature and contained no alleged sexual or specific grooming behaviors.

CPS OIG FY 2022 Annual Report

The investigation concluded that the teacher's conduct violated CPS's Guidelines Regarding Maintaining Professional Staff/Student Boundaries.

The OIG recommended appropriate discipline and further recommended reinstatement (the teacher had been pulled), as there was no evidence to support the general grooming allegations. The Board subsequently gave the teacher a Level One Performance Improvement Plan.

- *High School Teacher Engaged in a Pattern of Unprofessional Conduct Around Students, Including the Use of Profane and Sexual Language (20-01397)*

An OIG investigation determined that a high school teacher engaged in a pattern of unprofessional conduct, which included using profane and sexual language around students and using a prop "middle finger" during class. Staff members mentioned that the teacher made comments about "taking it up the ass," called male students "bitches" and used other profanity, and joked about a student "making out" with a teacher. While there was not enough evidence to substantiate particular comments, numerous staff members expressed concerns about the teacher's behavior, the alleged comments all had a similar tenor, and the teacher acknowledged that he had been warned at least twice about his comments to students. The teacher's conduct exceeded appropriate staff member-student boundaries.

However, the investigation determined the teacher did not engage in any misconduct of a sexual nature.

The teacher's conduct violated CPS Guidelines Regarding Maintaining Professional Staff/Student Boundaries, and his conduct, which dates back to at least 2015, taken as a whole, would constitute conduct unbecoming of a CPS employee.

During the course of the OIG's investigation, allegations of the teacher's conduct were shared with the District. Along with numerous allegations of generally unprofessional conduct as described above, there were allegations that the teacher slapped male students on the buttocks and hit students on the buttocks with a paddle, had closed-door meetings with students, and went to art shows with students outside of school. CPS subsequently pulled the teacher approximately one month after the initial allegation. Ultimately, there was insufficient evidence to substantiate these other allegations.

The OIG recommended appropriate discipline, and additional training if the teacher is reinstated. The teacher subsequently resigned.

CPS OIG FY 2022 Annual Report

- *Teacher Connected with Students on Social Media, but Insufficient Evidence of Any Sexual Misconduct (20-01453)*

An OIG investigation established that a teacher in a contract high school connected with two students on social media while they were enrolled at the school. Another staff member at the school had complained about the teacher's actions. Although the teacher said he only became friends with students on social media after they graduated, a review of the teacher's Instagram account showed this to be false.

There were several other allegations that the teacher had romantic and/or sexual interactions with a student, flirted with or gave preferential treatment to a student, touched a student in an inappropriate or sexual manner, and spent time alone with students in his classroom with the door shut. However, the OIG could not find direct evidence or corroboration for any of these allegations.

The OIG found that, if the teacher were an employee of a district school, his conduct would have violated CPS's Staff Acceptable Use policy, which prohibits staff from connecting with students via social media.

The initial allegations concerned the teacher following students on social media, flirting with a student two years beforehand, and having a rumored sexual relationship with a student after they had graduated. More allegations were raised about the teacher during the course of the investigation (including that the teacher flirted with a student and stared at him while licking his lips, had closed-door meetings with students, and engaged with students' social media posts with "likes" and comments such as "I miss you"). Based on the increasing number of serious allegations, the OIG notified CPS, and CPS pulled the staff member from active duty just over two months after the initial allegation.

The OIG recommended appropriate discipline for connecting with students on social media, and also recommended training the teacher on maintaining appropriate boundaries with students. The contract school subsequently informed the OIG that the teacher was no longer employed at the school.

- *SECA's Laptop Picked Up the Sounds of People Having Sex During Remote Learning (20-01511)*

An OIG investigation determined that a high school SECA's laptop microphone was picking up the sounds of people having sex (the investigation could not determine whether he was in the room where the sounds were coming from or whether he was viewing pornography) during a Google Meet class.

While the OIG was unable to interview the SECA regarding these allegations, two staff members and two students made consistent statements supporting the allegation. Additionally, one student sent the OIG a video purportedly of a portion of the noises

CPS OIG FY 2022 Annual Report

coming from the SECA's microphone, although the noises on the video itself were ambiguous. While the source of the sounds was unclear, the teacher who heard the noises described hearing "moaning" and "kissing" sounds, and said the sounds were "definitely sexual."

The OIG found that the staff member's conduct violated the Staff Acceptable Use Policy and the Standards of Conduct for Maintaining Professional Boundaries between Staff and Students. Additionally, the SECA's failure to cooperate with the OIG's investigation violated Board Rule 4-4(m).

The OIG notified CPS about the allegations, and CPS determined that the SECA should be pulled from active duty.

The OIG recommended termination and a Do Not Hire designation be placed in his personnel file. In the alternative, if CPS did not terminate employment, the OIG requested that CPS require the SECA to sit for an interview with the OIG prior to reinstatement.

The Board subsequently terminated the SECA and placed a Do Not Hire designation in his personnel file as recommended.

- *Teacher Assistant Made Several Comments to Students Regarding Their Physical Appearance and Asked Students Questions About Personal Details (21-00318)*

An OIG investigation determined that a teacher assistant made comments to fifth-grade students regarding their size/weight, referring to some students as skinny/small/thin and others as fat/big. The teacher assistant also asked the students questions regarding their birthdays and where they lived. However, there was insufficient evidence that this conduct had a sexual intent or purpose. Further, there was insufficient evidence to show that the teacher assistant took pictures of students using his cell phone.

The teacher assistant acknowledged making comments to several students regarding their physical appearance, specifically their size/weight, but said that this was in relation to health and was not an effort to be funny or mean. The teacher assistant also acknowledged asking students their birthdays and where they lived; he said he did not have any inappropriate intentions and was just trying to be nice.

Although several students alleged the teacher assistant also took pictures of them, the allegations were inconclusive and student recollections varied significantly.

The teacher assistant's conduct violated CPS's Standards of Conduct for Maintaining Professional Boundaries between Staff and Students.

CPS OIG FY 2022 Annual Report

The OIG notified CPS about the allegations that the teacher assistant was taking pictures of students, commenting on their bodies, and asking them personal questions. CPS pulled the teacher assistant from active duty.

The teacher assistant was approved for reinstatement, and the OIG recommended additional training regarding maintaining appropriate boundaries with students and proper classroom conduct. The Board subsequently gave the teacher assistant a Level One Performance Improvement Plan.

SECTION 5 — GENERAL INVESTIGATIONS UNIT

A. PERSISTENT MISCODING OF STUDENT TRANSFER AND LOST CHILD DATA

An OIG investigation (20-00752) found another example of “leave code” misuse in which administrators at an elementary school deliberately miscoded students who were truant as transfers or lost children so that these students’ absences would not count against the school’s attendance rate. Misuse of leave codes has been a chronic problem at CPS, and the OIG has investigated and reported on this type of misconduct five times since 2014. (See 2014 Annual Report, Case 12-00465 and 13-01086; 2016 Annual Report, Case 15-00612; 2018 Annual Report, Case 18-00134; and 2019 Annual Report, Case 18-01664).

In this investigation, the OIG also reviewed CPS’s procedures for collecting leave code data and found extensive evidence that schools are not following CPS guidelines for accurately reporting transfers, dropouts, and lost students. The OIG’s findings call into question the reliability of transfer and dropout data that CPS uses in calculating key metrics such as attendance and graduation rates.

ELEMENTARY SCHOOL FALSIFIES TRANSFER RECORDS

Both CPS policy and Illinois law require that schools maintain accurate records regarding any student who leaves a school’s enrollment. Current CPS guidelines, instituted in response to past OIG investigations involving leave code misuse, emphasize that schools are prohibited from forcing a student to withdraw due to low attendance and that incorrectly classifying a missing or truant student as a transfer is a falsification of a legal record.

Nevertheless, in this investigation, the OIG found that a school culture coordinator and two clerks at an elementary school were regularly removing truant students from enrollment by recording them as transfers. In one school year, the OIG identified 20 students who were recorded as transfers, and for each student, the school had no documents on file indicating that the student had requested a transfer. In many

CPS OIG FY 2022 Annual Report

cases, email correspondence showed that staff knew that the student was actually truant. For example, the OIG acquired email correspondence in which staff members openly discussed “dropping” a student who had not returned to school after winter break. A staff member then removed the student from the school’s enrollment by recording the student as a transfer, instead of marking the student as absent while attempting to locate the student as required by CPS policy.

When interviewed by the OIG, the school culture coordinator and one of the clerks admitted to removing students from enrollment when they stopped attending school. They claimed that they were unaware that what they were doing was against CPS guidelines. The OIG determined that the employees knew or should have known that Board policy explicitly prohibited their practice of recording truant students as transfers.

The OIG also found that the school’s principal did not have an adequate understanding of CPS’s attendance policies and did not exert sufficient oversight over the school’s use of leave codes.

During the course of the OIG’s investigation, the principal retired and one of the clerks resigned.

The OIG recommended appropriate discipline and training for the school culture coordinator – the staff member who was most responsible for the school’s misuse of leave codes. The OIG also recommended training for the clerk who remained at the school. The Board advised that the school culture coordinator was given a one-day suspension and received training on this issue. The clerk who remained at the school was issued a Level 1 performance improvement plan and also received training.

Additionally, during its investigation of leave code misuse at the elementary school, the OIG learned that CPS’s Office of Internal Audit and Advisory Services (IAAS) had conducted an audit of the elementary school in 2018 in which it found that the school was not following CPS’s requirements for verifying that transfers had actually occurred before reporting the transfer to CPS. The audit specifically found that the elementary school was falsely claiming to CPS that it had received confirmation that the transferring student had enrolled at a new school when no such confirmation existed.

The OIG’s investigation found that despite the 2018 audit findings, neither CPS nor the elementary school took any action to reform the school’s procedures for reporting transfer data, and the school continued to report inaccurate transfer data to CPS in the following school years.

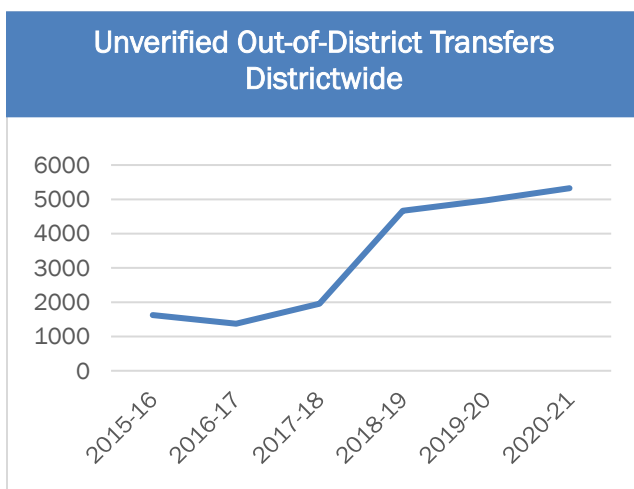
DISTRICTWIDE TRANSFER AND LOST CHILD DATA IS SUSPECT

During the course of this investigation, IAAS informed the OIG that it had started auditing schools' self-reported transfer data in 2018 and had also begun reviewing schools' reports of lost children. The OIG reviewed the results of these audits, which showed a districtwide problem of schools failing to document transfers and lost children as required by law and CPS policy. The OIG conducted further investigation which identified three districtwide concerns with CPS's student-transfer and lost-child data.

First, the OIG found that CPS schools are regularly falsely claiming to CPS that they have verified that the student transfers they are reporting have actually occurred. The OIG reviewed reports of 100 school audits that IAAS conducted in 2019 and 2020 before the school auditing process was paused due to Covid-19. According to IAAS, some, but not all, of these audits included a review of the school's transfer data.

A total of 36 of the audit reports reviewed by the OIG included a finding that the audited school had falsely reported to CPS that it had verified a student transfer. In each case, the audit found that the school did not have the required records showing that the student had actually transferred to a new school.

The OIG also found that no CPS department was tasked with ensuring that schools properly verified transfers and that CPS had no effective measures for ensuring that schools that reported false transfer data were held accountable.



Source: CPS Student Information Databases.

Second, schools are reporting increasing numbers of “unverified” transfers to CPS. When a school records a transfer as unverified, the school is reporting that it was unable to acquire the evidence required by law and CPS policy to verify that the transfer has actually occurred. As a result, CPS treats unverified transfers reported by high schools as a dropout for data collection purposes, meaning that the unverified transfer negatively affects the school and district

attendance and graduation rates.

However, beginning in 2017, CPS stopped penalizing elementary schools for recording unverified transfers. Unsurprisingly, since this time, elementary schools in

CPS OIG FY 2022 Annual Report

particular have reported an increasing number of unverified transfers, raising concerns about school attendance rates and other metrics that rely on transfer data.

Third, schools were not following CPS's rules for reporting students as lost. According to CPS policy, if a student stops attending, the school is required to take a series of steps to locate the student. If the student cannot be found, the school can report the student as a "lost child." When a school reports a student as a lost child, the student is removed from the school's enrollment, affecting school and district attendance and graduation data in a similar way as a student transfer.

The IAAS school audits reviewed by the OIG and follow-up investigation by the OIG found that schools throughout the district are regularly disregarding CPS's lost child procedures and instead recording students as lost with little or no documentation. CPS policy specifically requires that before a school records a student as a lost child, the school must place a detailed report in the student's permanent file listing the school's attempts to locate the student. However, both the IAAS school audits and the OIG's investigation found extensive evidence that schools were not maintaining these records. The OIG found that for the eight schools which reported the highest rate of lost students in the district, five of these schools had no lost child records on file, and the remaining three had only a fraction of the required records on file.

IMPLICATIONS OF DATA CONCERNS

In June 2015, in response to an earlier OIG investigation into leave code misuse, CPS's then-CEO announced a series of steps intended to "further guarantee the integrity" of CPS transfer data. (See 2016 Annual Report, Case 15-00612). However, the OIG's findings in this investigation indicate that CPS has not yet accomplished this goal.

The integrity of transfer and lost-child data is critical on several levels. As the OIG has noted in past investigations involving leave code misuse, miscoding students as transfers or lost children has significant negative effects on vulnerable students. When a student is miscoded as a verified transfer instead of a lost child or dropout, that student does not have access to the interventions and reengagement assistance that they would otherwise receive. If a school ignores CPS's procedures for recording students as a lost child, the school may not be attempting to locate and reengage the missing student as required by CPS policy.

In addition, leave code misuse distorts a student's official record as well as districtwide data and metrics that rely on this data, including attendance and graduation rates. Every time the OIG or another entity reports on a new case of leave code misuse, it perpetuates the belief that CPS metrics are unreliable and reinforces the idea that this problem is intractable.

CPS OIG FY 2022 Annual Report

RECOMMENDATIONS REGARDING ONGOING DISTRICTWIDE ISSUES

The OIG recommended that CPS address the districtwide leave code data quality issues identified in this investigation and ensure that schools are following leave code guidelines. Towards that end, the OIG recommended that CPS resume spot checks of transfer verification data and institute a process for holding schools accountable that report false transfer or lost-child data to CPS.

In response to the districtwide issues identified by the OIG, CPS has informed the OIG that it is adding staff positions to the attendance team within the Office of Student Support and Engagement that will address the improper use of leave codes and the documentation of transfers and dropouts. The team will be responsible for improving leave code data quality and collaborating with Office of Network Supports to provide direct support to students and school staff relating to student transfers. CPS also informed the OIG that it has already implemented a new process for schools to report their outreach to truant students directly to CPS through the district's ASPEN student information system.

IAAS informed the OIG that it has not yet resumed its school audits and spot checks of school leave code data. The OIG will continue to request that CPS prioritize the resumption of these school audits.

B. EMPLOYEE AND STUDENT RESIDENCY MATTERS

The Board's policy requires that all of its employees live within the City of Chicago absent approved exemptions. The OIG recommends "immediate termination" when employee residency violators also lie about their addresses. This is because, per the Board's residency policy, an employee who lies about his or her address in conjunction with a residency violation is subject to immediate dismissal. See Board Report 18-0627-P04.

The OIG also investigates families who live outside the City of Chicago and send their children to CPS schools. Not only are suburban students subject to disenrollment, their families owe CPS tuition for the years the students attended CPS schools as non-residents. The statutory non-resident tuition rate varies slightly from year to year. For the 2021-22 school year, the rate was \$17,231 per student.

- *High School Student Attended Highly Selective CPS High School While Living in Lincolnwood (22-00281)*

An OIG investigation found that a CPS student violated the district's residency rules by attending Northside College Prep, a selective enrollment high school, while living in Lincolnwood, Illinois. After being admitted to Northside, the student's father

CPS OIG FY 2022 Annual Report

fraudulently reported to CPS that he and the student lived in the basement of his cousin's home in Chicago.

During each of several surveillances of the Lincolnwood home, OIG investigators observed the student departing the residence. During two surveillances, investigators followed the student as she traveled to her CPS school. On several occasions, the OIG also observed at least one vehicle, a BMW coupe, known to belong to the student's father. Finally, during one surveillance, an investigator spoke to the father via the home's Ring security doorbell and informed him the OIG had a letter for him. The father told the investigator that he was out of town and to leave the letter in the mailbox – but not that he lived in Chicago.

During his OIG interview, the father said that because he often stayed in his cousin's basement in Chicago, he used that address for his daughter to satisfy CPS's student residency requirement. After his daughter was admitted, the father and his cousin generated an apartment lease naming the father as the lessee and his daughter as an authorized occupant. The father also admitted that he obtained a new Illinois ID card after his daughter's principal sent the family a letter demanding additional proof of Chicago residency. The ID card shows that it was obtained just days before the due date in the principal's letter. Moreover, the father's current driver's license bears a Wisconsin address.

Finally, the father told the OIG that he actually splits his time between three residences: his cousin's Chicago home, a vacation home in Wisconsin (the address on his driver's license), and a condo in Naperville. Although public property records show that the father co-owns the Lincolnwood residence with his own dad, he claimed that he does not stay there because they do not get along. Nevertheless, the father also claimed that his wife (from whom he said he was estranged) still lives there with their other children and the father's parents.

The OIG also interviewed the father's cousin's wife, who lives at the Chicago address the father reported to Northside. She told the OIG that while the father comes and goes from her home, neither he nor his daughter consistently live there. The wife said that she does not see the daughter very often at the Chicago home, and had not seen her for more than a month before her OIG interview.

The OIG recommended that the student be disenrolled before the start of the 2022-23 school year and permanently banned from all CPS selective enrollment schools and programs. The OIG also recommended that CPS recoup \$48,757 in non-resident tuition from the student's family.

Pursuant to the Illinois School Code, a hearing on the student's residency was held in September 2022. The presiding hearing officer concurred with the OIG's findings and found that the student resided with her mother in Lincolnwood throughout her time in

CPS OIG FY 2022 Annual Report

CPS. Accordingly, in October 2022, CPS recommended that the Board adopt the hearing officer's findings, seek to recoup \$56,337.13 from the family (for school years 2019-20, 2020-21, 2021-22, and the first semester of 2022-23, since the student had not yet been disenrolled), and disenroll the student from Northside.

The Board adopted these recommendations, disenrolled the student from Northside in December 2022, and banned the student from all CPS selective enrollment schools and programs. The Board has also sought recoupment of the full \$56,337 tuition charge from the family. These collection efforts are ongoing.

On November 28, 2022, the student's parents sued CPS in the Circuit Court of Cook County, seeking to block CPS from disenrolling the student from her school and collecting the tuition charge. As part of their suit, the parents filed an emergency motion for a temporary restraining order to block their daughter's disenrollment. On December 14, 2022 – about a week before she was ultimately disenrolled – the Circuit Court denied the parents' emergency motion. The parents' suit, however, remains pending.

- *Elementary School Principal Lived in Crete, Illinois, for 16 Years (19-02469)*

A former elementary school principal violated CPS's residency requirement by residing in Crete, Illinois, from late 2005 until her resignation in June 2021. The principal first reported living in Chicago when she started with CPS as a substitute teacher in the 1990s. Public property records, however, showed that she and her family purchased their Crete home in November 2005. The principal admitted to the OIG that she moved to the Crete home because it offered more space for her family and that her daughter attended public schools in Crete. When the principal's daughter was ready for high school, the principal took the extraordinary step of granting her mother (who lived in Chicago) legal guardianship over her daughter so the daughter could attend a CPS high school.

The principal told the OIG that because she initially lived in Chicago when she started with CPS, she was "grandfathered in" under CPS's residency rule and could live in the suburbs. An analysis of the current and previous versions of the residency policy, however, showed that this was never true. Moreover, the principal's claim was undermined because she never actually reported the Crete address to CPS and instead falsely reported living in Chicago. If she genuinely believed she was exempt from the residency requirement, she would have had no reason to lie about it to CPS.

The OIG recommended that the principal receive a Do Not Hire designation and would have recommended her termination had she not already resigned. Accordingly, a Do Not Hire designation was placed in the principal's personnel file.

CPS OIG FY 2022 Annual Report

- *Elementary School Principal Lived in the Suburbs, Lied About His Residency (20-01243)*

A recently retired elementary school principal violated the CPS residency requirement by living in Warrenville, Illinois, from at least January 1, 2020, to his retirement in August 2021. The principal also lied about his residency on his 2020 and 2021 CPS financial interest statements and during his interview with the OIG.

According to information the principal reported to CPS and statements he made to the OIG, he lived in Warrenville from 2002 to 2007 with his parents. During this time, he was a school counselor, which is a waiver-eligible position, and he openly listed the suburban address on CPS documentation. The principal did not, however, actually obtain a CPS residency waiver, nor does it appear that anyone at CPS directed him to do so.

The principal told the OIG that he moved to Chicago when he first became principal and has lived in a series of apartments in the city ever since. The principal also said that his late father transferred the Warrenville home to him and that he is responsible for its bills and upkeep, but he only goes there to visit his elderly mother.

The OIG found that the principal lied about his ownership of and residence at the home. Property records showed that the principal actually purchased the Warrenville home from a non-relative in October 2002 and has never shared ownership with his parents or any other relatives. Moreover, the OIG saw the principal depart from the home during each of several surveillances conducted between May 2020 and June 2021. Finally, Illinois Tollway records for the principal's I-PASS showed that he passed through suburban toll plazas on I-88 east of Warrenville almost every day he clocked in for work at his school.

The OIG recommended that the principal receive a Do Not Hire designation and would have recommended termination had he not already retired from CPS. Accordingly, a Do Not Hire designation was placed in the principal's personnel file.

- *High School Teacher Admitted to Never Living in Chicago (20-00100)*

A high school teacher violated CPS's residency requirement by living in Oak Park since 2013, and in Cicero before that, while falsely reporting to CPS that she lived in Chicago.

The teacher admitted that she and her family live in Oak Park, that they have never lived in Chicago, and that she was aware of and knowingly violated the residency requirement.

The teacher also admitted to taking steps to conceal her suburban residency, including having her brother, instead of her, jointly mortgage the Oak Park residence

CPS OIG FY 2022 Annual Report

with her husband and registering her vehicles at the falsely reported Chicago address.

The OIG recommended that the Board immediately terminate the teacher's employment and give her a Do Not Hire designation. The employee subsequently resigned and received a Do Not Hire designation.

- *Elementary School Teacher Lived in the Suburbs for Over a Decade, Told OIG She Simply Preferred the Suburbs to the City (21-00273)*

An elementary school teacher violated the CPS residency policy by living in the suburbs – first in Homer Glen, then Orland Park – from at least 2010 to present. During her OIG interview, the teacher admitted to living in the suburbs despite being aware of CPS's residency requirement and not having a waiver. The teacher stated that she simply preferred living in Orland Park.

The OIG recommended that the teacher be terminated and receive a Do Not Hire designation. The Board initiated dismissal proceedings against the teacher, which are currently pending.

- *High School Teacher Resided in Western Springs (20-00081)*

An investigation determined that a high school teacher had been living in Western Springs since 2007 in violation of the CPS residency policy. The teacher moved from the city to the suburbs in 2007 and began fraudulently using his parents' Chicago home address as his CPS address-of-record to continue to work for CPS.

The OIG recommended that the Board terminate the teacher's employment and place a Do Not Hire designation in his personnel file. The Board advised the OIG that it filed dismissal charges against the teacher and the teacher subsequently resigned. The Board placed a Do Not Hire designation in his personnel file.

- *Elementary School Counselor Lived in Oak Lawn Since the Time of Her Hire (18-01150)*

A counselor at an elementary school had been living in Oak Lawn since she started working for CPS in 2006. During this time, she represented to CPS that she was living at different Chicago addresses belonging to her relatives. When interviewed by the OIG, she claimed that she was staying with those relatives some of the time. However, she admitted that she has spent most of her time living in the condominium she owns in Oak Lawn.

The OIG found that she has been living in Oak Lawn for the last 16 years in violation of CPS's residency policy and that she misrepresented her residency to CPS to evade the policy. The OIG recommended that the Board immediately terminate her employment and place a Do Not Hire designation in her personnel file. In response to

the OIG's report, the Board initiated dismissal proceedings against the counselor. The counselor, however, paused those proceedings, pursuant to 105 ILCS 5/34-85(a)(9), during the pendency of the Governor's declared public health emergency due to the Covid-19 pandemic. Therefore, the dismissal proceedings are still pending.

C. FREE AND REDUCED-PRICE MEAL ELIGIBILITY FRAUD

For more than a decade, the OIG has investigated and reported on persistent and widespread fraud in how CPS students gain Free and Reduced-Price Meal (FRM) eligibility. In annual reports for fiscal years 2010-11, 2011-12, and 2012-13, the OIG detailed large-scale investigations of CPS staff who fraudulently underreported their incomes and/or overreported their household sizes so that their children who attended CPS schools would qualify for free or reduced-price school meals. Those reports also noted that the number of FRM-eligible students factored not only into reimbursement for school meals, but also the determination of other important funding streams for CPS.

In this year's report, the OIG again reports on cases in which the children of CPS employees were improperly designated as FRM-eligible. As in previous investigations, some of these employees fraudulently underreported their incomes to their children's schools. In other instances, however, the OIG found that the children of highly compensated CPS employees were deemed FRM-eligible because the employees fraudulently obtained SNAP (*i.e.*, "food stamps") and/or health care benefits. CPS students can be "automatically" qualified for FRM eligibility without additional income reporting based on receipt of these state benefits.

Although the role of FRM-status in CPS's funding has changed over the past several years, the measure still plays a role in how CPS allocates funding to its schools and in certain federal funding programs.

- *Elementary School Principal Knew or Should Have Known That Her Ex-Husband Excluded Her Income on CPS Family Income Information Forms for Their Children (20-00828)*

An OIG investigation found that an elementary school principal knew or should have known that her ex-husband improperly omitted her six-figure income on at least three CPS Family Income Information Forms and failed to correct them. On the forms, the principal's ex-husband disclosed only his own significantly smaller salary even though he does not live with the principal or their three children at her Chicago residence, the address listed on the forms. As a result, their children were improperly designated as eligible for free and reduced-priced meals for the 2016-17, 2017-18, and 2018-19 school years. The principal told the OIG that her ex-husband completed the forms because he made less money, demonstrating that she was aware of and even

CPS OIG FY 2022 Annual Report

condoned her omission from the forms and failed to correct them before they were submitted.

The OIG recommended appropriate discipline for the principal. Accordingly, the Board issued the principal a 10-day suspension.

- *High School Teacher Improperly Told Wife to Exclude His CPS Salary on Family Income Information Forms for Their Children's Schools (20-00837)*

A high school teacher told his wife to improperly exclude his nearly \$100,000 salary when she completed CPS Family Income Information Forms for their three children. As a result, their children were incorrectly designated as eligible for free and reduced-price meals. The OIG obtained forms for the children for the 2018-19 and 2019-20 school years, all of which were completed by the teacher's wife. On three of the forms, she excluded the teacher and his salary and instead reported extremely low biweekly income. On the most recently completed form, however, the wife accurately reported the teacher and his salary, and their child was marked FRM-ineligible.

The teacher admitted to the OIG that he told his wife to exclude his income on the forms. He explained that until recently, he and his wife had been estranged. While he paid her child support and they led "separate lives," they also continued living in the same house with their children. The OIG obtained court docket information, CPS records, and Cook County property records that generally supported the teacher's description of his marital issues. Nevertheless, for the purposes of CPS's family income forms, he was still a member of his family's household and his income should have been reported. The teacher also told the OIG that he and his wife had recently reconciled, which was roughly corroborated by the most recent, accurately reported income form. Notably, the teacher's wife also filled out that form before the OIG initiated this investigation, suggesting that it was not a motivating factor for the wife's now-accurate income reporting.

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

- *Special Education Teacher Lived in Gary, Indiana, Knew or Should Have Known That Her Partner Fraudulently Obtained Public Benefits from the State of Illinois (20-01047)*

An OIG investigation found that a special education teacher violated CPS's residency policy by moving to Gary, Indiana. The teacher also knew or should have known that the father of her two young children committed public benefits fraud by failing to report her CPS salary in his applications for SNAP and AllKids medical benefits. As a result of this fraud, their daughter was also improperly designated as free/reduced meal eligible at her CPS school.

CPS OIG FY 2022 Annual Report

Evidence showed that the teacher and her partner lived with their kids in a single-family home in Chicago at the address the teacher had on file with CPS for most of her career. In late 2019, however, the teacher sold the property and purchased a home in Gary, and she and her family moved there in 2020. The teacher did not have, and was not eligible for, a CPS residency waiver.

The teacher told the OIG that she and her partner had “big plans” for the Gary home, but when those plans “went south,” she decided to stay in Chicago while her partner and children lived in Gary. Nevertheless, the teacher admitted that she worked remotely for CPS’s Virtual Academy from the Gary home every day, and claimed that she commuted back to Chicago at night.

The OIG did not find the teacher credible because she repeatedly lied about her true address. After she sold her Chicago home, she changed her address on file with CPS to one in Hyde Park that was actually a mailbox at a UPS store. The teacher later admitted to the OIG that she didn’t live in Hyde Park and instead claimed that she lived elsewhere in Chicago with a CPS colleague. When the OIG interviewed the colleague, however, she said the teacher never lived with her.

Throughout their time together, the teacher’s partner received income-based AllKids and SNAP benefits from the State of Illinois despite the teacher’s CPS salary. A report by the Inspector General for the Illinois Department of Health and Family Services found that the partner failed to report the teacher’s income and continued to receive Illinois benefits even after moving out of state to Gary. The OIG found that the teacher was aware that her partner received benefits and knew or should have known that he failed to report her salary.

The OIG recommended the teacher receive a Do Not Hire designation and would have recommended discharge had she not resigned during this investigation. Accordingly, CPS has given her a Do Not Hire designation.

- *Elementary School Teacher Fraudulently Obtained Public Benefits from the State of Illinois and Free/Reduced Meal Eligibility for Her Children (20-01050)*

A former elementary school teacher fraudulently obtained SNAP and AllKids public benefits from the State of Illinois. Because recipients of these benefits can be directly certified by CPS as eligible for free and reduced-price meals, the teacher’s children were also improperly designated as FRM-eligible at their CPS schools.

The teacher was employed at CPS from August 2003 until her termination and Do Not Hire designation in February 2021 for drinking alcohol while on duty. In June 2020 — well before she was fired — the teacher applied for state benefits, claiming that her employment with CPS had ended that month. In reality, the teacher was still gainfully

CPS OIG FY 2022 Annual Report

employed with CPS and continued to be until her termination. Due to her false application, the teacher qualified for and began receiving benefits in June 2020.

Due to the drinking incident, the teacher was already terminated and given a Do Not Hire designation. Had she still been employed with CPS, the OIG would have recommended the same actions. Additionally, the OIG referred the teacher's case to the Office of Inspector General for the Illinois Department of Healthcare and Family Services, who conducted its own investigation and found that the teacher had committed public benefits fraud. Finally, the CPS Law Department advised the OIG that it had notified ISBE of the teacher's misconduct.

D. STRINGING, IDENTITY THEFT, TIMEKEEPING FRAUD AND OTHER MATTERS

The OIG's General Investigations Unit completed various other investigations during Fiscal Year 2022.

The first matter discussed below involves a husband and wife that improperly did business with a CPS school through a "stringing" scheme — a scheme planned to improperly avoid CPS's competitive procurement processes. In addition, the husband, who was never background checked, was allowed to have regular contact with students despite his criminal history, which should have prevented him from working in any school.

Other matters discussed below include identity theft, timekeeping fraud, improper secondary employment and misuse of sick time.

- *Husband and Wife Engaged in Years-Long Bid Stringing Scheme at Elementary School While Husband Worked with Students Despite Extensive Criminal History; School's Principal Turned Blind Eye to Misconduct (19-01242)*

Between 2005 and 2019, a married couple engaged in a sustained bid stringing scheme at a CPS elementary school, using multiple companies to secure more than \$315,000 in payments for over 100 purchase orders. More than \$160,000 of that came in years in which the companies' payments exceeded the Board's \$25,000 competitive bidding threshold.

More concerning, the OIG also found that the husband was for years also a regular presence inside the school despite his extensive criminal history, including a Class X felony drug conviction. Under Illinois law and CPS rules, the husband should have been barred from working in any CPS schools, yet he was never background checked and was instead in regular contact with students.

CPS OIG FY 2022 Annual Report

The OIG found that the couple's years-long violation of CPS rules and policies was made possible because the school's now-retired principal turned a blind eye towards, or even enabled, their dealings with her school.

THE COUPLE'S STRINGING SCHEME

Illinois Secretary of State records showed that the couple's companies were simply different versions of the same entity. Both the husband and wife acted as the registered business agent for current or previous versions of the companies and utilized a rotating set of addresses.

Similarly, CPS procurement documents, including invoices, purchase orders, and requisition records, showed that the companies used overlapping vendor contact information and rendered the same or similar work and products at the school.

Between March 2005 and June 2019, the companies were collectively paid a total of \$315,925 across 101 purchase orders.

During five separate school years, the companies received payments that together exceeded the Board's \$25,000 competitive bidding/procurement threshold. The Board's threshold for competitive bidding, however, was just \$10,000 prior to March 2019 amendments to the procurement rules. Under this lower threshold, payments to the couple's companies in seven additional school years would have also required bidding.

The OIG also found that the invoices and purchase orders for the companies often appeared to relate to the same or similar services — usually, "student services," "advisory services," "student supplies," "non-violence workshops," or variations of those descriptions — performed by the husband. Often, multiple services were supposedly rendered by the husband around the same time or even on the same dates, during the summer, or on weekends.

FAILURE TO BACKGROUND CHECK

The OIG also found that the husband spent significant time at the school with students without ever undergoing a required criminal background check. If he had been background checked, CPS would have seen his extensive conviction history, including a Class X drug felony for which he served eight years in prison.

Nevertheless, all of the elementary school's personnel told the OIG that the husband worked closely with students, supposedly providing mentoring and social and emotional learning, and even accompanying students on field trips. As a convicted Class X felon, the husband should have been barred from working in any capacity in a CPS school — not as an employee, a volunteer, or a vendor. Instead, he was a constant presence at the school and, apparently, a key member of the school's day-to-day staff.

CPS OIG FY 2022 Annual Report

THE SCHOOL'S PRINCIPAL

Throughout the couple's dealings with the school, the principal turned a blind eye to or even enabled their misconduct. Requisition records show that the principal approved payments time and again for the couple's companies. The OIG also found no evidence that the principal took any steps to run a background check on the husband, even though there were rumors at the school about his criminal record. When the OIG attempted to interview the principal (after she retired), she failed to cooperate or appear for an interview.

The OIG recommended that the school's principal receive a Do Not Hire designation and would have recommended her termination had she not already retired from CPS. The OIG also recommended that the couple and their companies be permanently debarred from doing any business with CPS, and that CPS take all appropriate steps to prevent the couple from working in any capacity for the district. Accordingly, CPS placed Do Not Hire designations on the principal and the couple. CPS is also pursuing debarment of the couple and their companies.

- *Employee Used Stolen Identity (20-01414)*

An OIG investigation found that an hourly employee at a CPS elementary school was using a stolen identity. The OIG initiated its investigation after an out-of-state complainant told the OIG that she had been the victim of identity theft and had learned from the Social Security Administration that a CPS employee was using her social security number. The OIG identified the employee using the social security number and worked with local law enforcement to determine that the employee had committed identity theft, including using forged documents to apply for CPS employment.

The OIG attempted to interview the hourly employee; however, she declined to speak to the OIG and left CPS employment. The OIG recommended that the Board add the employee to its internal Do Not Hire list under both the stolen identity and the employee's actual identity. The Board informed the OIG that it flagged the employee's file for issuance of discipline if she attempts to return.

- *Elementary School Teacher Operated For-Profit Scouting Service on CPS Time, Worked at Other Schools During an SAU Investigation, Lived in the Suburbs, and Abused Sick Time (21-01058)*

An elementary school teacher violated CPS policies by using his district email to send spam messages on behalf of his athletic scouting business to colleges across the country, sometimes while on CPS time, and by failing to obtain approval for secondary employment.

CPS OIG FY 2022 Annual Report

The OIG interviewed the director of athletic communications from one of the colleges the teacher targeted with his unsolicited, spam scouting emails. He told the OIG that he received the teacher's emails almost daily and that when he asked him to stop, the teacher refused. Copies of the emails showed that the teacher used his CPS email address to send the messages, sometimes during his CPS workday, and refused to unsubscribe the director.

The OIG also talked to parents of three student athletes who purchased the teacher's recruiting services. All three said the teacher exaggerated his connections to colleges and coaches and failed to target the types of schools they were interested in. One parent also stated that part of the teacher's pitch was that he worked for CPS.

The teacher admitted to the OIG to owning and operating his business, which he said has earned \$10,000 to \$15,000 since its formation. He admitted that he has used his CPS email to message colleges, that he has refused to unsubscribe recipients, and that he has "probably" posted to social media for his business during work hours. Independently, the OIG confirmed with CPS that the teacher had not received approval for his secondary employment.

The investigation revealed several additional policy violations. From December 2019 to November 2021, the teacher was on a paid administrative leave pending an unrelated OIG SAU misconduct investigation, which resulted in some substantiated findings but no findings of sexual misconduct. (See OIG 19-02426, summarized above in Section 4.E. of this report.) During the leave, the teacher was still an active CPS employee and bound by Board rules and CPS policy. Nevertheless, the teacher took on two secondary jobs at City Colleges of Chicago and a school in Gary, Indiana, without CPS approval. Like his work with his business, both of these positions put him in contact with students, and in the case of the Gary school, with minors.

The teacher also violated CPS's residency policy by moving from Chicago to Markham, Illinois, in or about June 2021. During his OIG interview, the teacher admitted to moving to Markham. He claimed that when he was reinstated following the SAU investigation, he asked CPS Employee Services if he was eligible for a residency waiver but found their response confusing. Emails showed, however, that the teacher didn't contact Employee Services until November 2021, months after he moved. Moreover, despite telling the OIG that he ultimately realized he could not live in the suburbs, he continued to do so.

Finally, the OIG found that, in January 2022, just after his reinstatement, the teacher violated CPS's paid time off policy by using sick time to visit Ghana.

The OIG recommended that the teacher be terminated and receive a Do Not Hire designation. The Board filed dismissal charges against the teacher, who then resigned and received a Do Not Hire designation.

CPS OIG FY 2022 Annual Report

The OIG also recommended that CPS and the Board consider placing additional restrictions or requirements on employees' ability to work secondary employment while on paid administrative leave during misconduct investigations. CPS's Law Department advised the OIG that it is working with the Talent Office to explore the OIG's recommendation.

- *Timekeeping Fraud by Lunchroom Manager (20-00175)*

A lunchroom manager directed two lunchroom workers that she managed to falsify her time records by swiping in for her before she arrived for work. The lunchroom workers reported that they felt pressured to agree to the manager's requests because she was their direct supervisor. The OIG did not find any evidence that either lunchroom worker benefitted from the scheme.

The manager also resided outside of the City of Chicago in violation of the CPS residency policy.

The OIG recommended that the Board terminate the lunchroom manager's employment and place a Do Not Hire designation in her personnel file. The OIG also recommended that the two lunchroom workers receive warnings and training.

In response, the Board advised the OIG that it had terminated the lunchroom manager's employment and placed a Do Not Hire designation in her personnel file. One of the lunchroom workers was issued a written reprimand. The other lunchroom worker voluntarily left CPS employment and her personnel file was marked for a written reprimand if she is rehired.

- *Porter Submitted False Timekeeping Records (20-01224)*

A porter submitted a time record sheet to his principal in which he claimed that he was owed wages for nine days of work when his school's Kronos timekeeping machine had malfunctioned. The porter's supervisor found out about the porter's request and reported to the OIG that the porter had not actually worked on those days.

The OIG interviewed the porter, and he admitted that he had not worked six of the days that he claimed to be owed pay for and had left early on the other three days. The OIG found that the porter either knowingly made false statements in order to receive pay that he was not entitled to or should have known that the forms he submitted contained false statements.

The OIG recommended appropriate discipline. The Board advised the OIG that it had terminated the porter's employment and placed a Do Not Hire designation in his personnel file.

CPS OIG FY 2022 Annual Report

- *Timekeeping Fraud by Custodial Worker (20-01487)*

A custodial worker committed time fraud by regularly leaving her school during her shift for several hours at a time without swiping in or out. As a result, her time records showed that she had worked full days when she had not. When interviewed by the OIG, the custodial worker falsely told the OIG that she did not leave the school during her shift for longer than her allotted break period. However, video evidence showed that on multiple occasions she had arrived at the school, swiped in, and then left the school for hours while on the clock.

The OIG recommended that the Board terminate the custodial worker's employment and place a Do Not Hire designation in her personnel file. The custodial worker retired during the investigation and the Board advised the OIG that a Do Not Hire designation was placed in her personnel file.

- *School Counselor Worked Non-CPS Job While on CPS Disability Leave (20-01321)*

A school counselor was found to be working as an instructor for the City Colleges of Chicago while on paid leave in violation of Board rules. Shortly after the beginning of the school year, the school counselor told CPS that she was unable to perform her CPS job due to a disability and requested a paid leave of absence. The counselor's request was approved and she was placed on paid short-term disability leave.

The OIG found that the counselor was teaching classes at the City Colleges of Chicago prior to the start of her leave of absence and continued to teach these classes while on paid leave, even though Board rules prohibit secondary employment while on paid short-term disability leave. The counselor also did not inform her supervisors or the Board of her non-CPS secondary employment. In all, the school counselor received over \$16,000 in short-term disability benefits from CPS while working her unapproved secondary employment.

The school counselor resigned her CPS employment during the investigation. The OIG recommended that the Board place a Do Not Hire designation in her personnel file. The Board advised the OIG that it placed a Do Not Hire designation in her personnel file.

- *High School Culture Coordinator and Substitute Teacher Repeatedly Lied to the OIG About Unsanctioned Event at CPS High School for Their AAU Basketball Team (22-00230)*

During an investigation of an unsanctioned (and ultimately canceled) event for an AAU basketball team at a CPS high school, the OIG found that two CPS employees involved with the team — Employee A, the school's culture coordinator and athletic director, and the AAU team's coordinator, and Employee B, a retired CPS teacher,

CPS OIG FY 2022 Annual Report

active CPS substitute teacher, and the AAU team's founder — made false statements to investigators.

In March 2021, a Twitter account for the AAU team posted a flyer for boys' and girls' tryouts, some of which were to be held at Employee A's school. At that time, all indoor rentals of CPS facilities were still prohibited due to COVID-19. CPS employees who found the flyer notified the CPS Law Department, which contacted the high school's principal, told her the event was unsanctioned, and directed her to block it from taking place.

The principal, in turn, called Employee A into her office and asked him about the event. A few minutes later, Employee A forwarded the principal an email from Employee B, which claimed that the Twitter flyer was posted prematurely and that the event would be rescheduled. After she received this email, the principal forwarded it to the Law Department and the event did not happen.

When the OIG interviewed Employee A about the aborted AAU event, he lied repeatedly about the timing and extent of his involvement with the AAU team. Similarly, Employee B lied about his awareness of the flyer before it was posted. Emails and witness interviews showed that Employee B was the driving force behind the AAU team and that he and Employee A had discussed the event before the flyer was posted. When the OIG confronted Employee A about his false statements, he continued to give evasive and untruthful answers to investigators.

Ultimately, the OIG did not establish that Employees A and B intentionally tried to circumvent CPS's COVID-19 restrictions by planning an unapproved tryout. In part, this was because CPS quickly discovered the event and blocked it, perhaps limiting the number of emails and other communications generated that could have shed light on the Employees' motivations. It may have also been due, however, to the Employees' dishonesty during their interviews.

The OIG recommended that Employees A and B both receive discipline up to and including termination. In response, the Board suspended Employee A for 10 days and placed Employee B on a performance improvement plan.

E. CASES INVOLVING ARRESTS OR CRIMINAL-BACKGROUND ISSUES

The OIG monitors the outcome of cases in which Board employees or vendors are arrested and charged with criminal offenses. The OIG reports on these matters so that the Board can determine whether administrative discipline or other action is warranted based on the resolution of the criminal case.

These matters that the OIG reported to the Board in Fiscal Year 2022 are summarized below.

CPS OIG FY 2022 Annual Report

- ***Custodial Worker Convicted of Unauthorized Videotaping for Placing Cell Phone Underneath School Bathroom Sink (19-01540)***

A school custodial worker was arrested after an elementary school employee found a cell phone belonging to the custodial worker underneath a school bathroom sink that was set to record audio and video of people coming in and out of the bathroom. That same day, the custodial worker was removed from duty and suspended. Shortly thereafter, the custodial worker was arrested and charged in the Circuit Court of Cook County with unauthorized videotaping (720 ILCS 5/26-4(a)), a Class 4 felony. The custodial worker pleaded guilty to the charge and was sentenced to Treatment Alternatives for Safe Communities (TASC) probation for a period of two years.

Prior to the entry of his guilty plea, the custodial worker voluntarily left CPS employment and a Do Not Hire designation was placed in his employment file.

- ***Custodial Worker Convicted of Unlawful Use of a Weapon (19-01876)***

A custodial worker was arrested and charged in the Circuit Court of Cook County with three counts of aggravated unlawful use of a weapon (720 ILCS 5/24-1.6(a)(1)), a Class 4 felony, after he was found to be carrying a firearm on a Chicago Transit Authority bus without a FOID card or concealed carry license. He pleaded guilty to one count of aggravated unlawful use of a weapon and was sentenced to one year of confinement and one year of mandatory supervised release. The remaining charges were dismissed.

The Board advised the OIG that it terminated the custodial worker's employment and placed a Do Not Hire designation in his personnel file.

- ***SECA Convicted of Unlawful Use of a Weapon (19-01295)***

A special education classroom assistant was arrested and charged in the Circuit Court of Cook County with one count of aggravated unlawful use of a weapon (720 ILCS 5/24-1.6(a)(3)(A-5)), a felony, and was issued a citation for failure to stop at a stop sign after a traffic stop where he was found to be in possession of a firearm without a valid concealed carry license. The SECA eventually pleaded guilty to an amended charge of attempted aggravated unlawful use of a weapon (720 ILCS 5/24-1.6(a)(1)), a criminal misdemeanor. The court sentenced him to two years of probation.

The Board informed the OIG that it took no further action regarding the SECA.

- ***Employee of CPS Vendor Convicted of Computer Tampering (18-01508)***

A former employee of a CPS vendor was arrested and charged with computer tampering and identity theft after she accessed a CPS database without authorization and downloaded files containing confidential and personally

CPS OIG FY 2022 Annual Report

identifiable information of several thousand CPS employees, vendors, and volunteers. The former employee was charged in the Circuit Court of Cook County with four counts of identity theft (720 ILCS 5/16-30(a)(4)) and one count of aggravated computer tampering/disruption of service (720 ILCS 5/17-52(a)(1)), all Class 3 felonies. Eventually, a superseding indictment was issued and the former employee pleaded guilty to one count of computer tampering (720 ILCS 5/17-51(a)(4)/(b)(3)), a Class 4 felony. The former employee was sentenced to two years of probation.

The Board advised the OIG that it placed the former vendor employee on its internal Do Not Hire list.

- *Cook Convicted of Possession of a Controlled Substance (19-02399)*

An elementary school cook was arrested after police observed the cook deliver cocaine to an undercover officer on two separate occasions. The cook was initially charged in the Circuit Court of Cook County with two counts of manufacture and delivery of cocaine under 15 grams (720 ILCS 570/401(c)(2)), a Class 1 felony. The cook eventually pleaded guilty to amended charges of possession of a controlled substance (720 ILCS 570/402(c)) and was sentenced to 24 months of Second Chance Probation, along with other conditions.

The Board advised the OIG that it filed dismissal charges against the cook; however, a hearing officer from the Office of Administrative Hearings ordered that the cook be reinstated with a 10-day suspension.

- *Security Guard Convicted of Resisting a Peace Officer (19-00634)*

A security guard employed by a CPS charter school was arrested after she was involved in a brawl outside a courthouse and had to be restrained by police officers. The security guard was charged in the Circuit Court of McLean County, Indiana, with aggravated battery in a public place, mob action, and resisting arrest. The OIG interviewed the security guard, who told the OIG that the brawl occurred after a court hearing when an individual made disparaging comments about her relative.

The security guard eventually pleaded guilty to a charge of resisting a peace officer, a Class A criminal misdemeanor. She was sentenced to serve four days in jail. The remaining charges were dismissed.

Information regarding this matter was shared with the charter school, and the OIG learned that the charter school elected to take no action.

- *Teacher's Aide Convicted of Theft (20-00222)*

A teacher's aide employed by a CPS charter school was arrested and charged in the Circuit Court of Cook County with one count for theft of under \$500 (720 ILCS 5/16-1(a)(1)), a Class A misdemeanor, and two counts of unlawful possession of a

CPS OIG FY 2022 Annual Report

credit/debit card (720 ILCS 5/17-32(b)), a Class 4 felony, after a colleague identified the teacher's aide as the person fraudulently using her credit card in a store security video. The teacher's aide subsequently pleaded guilty to one count of theft of less than \$500 and was sentenced to 18 months of probation.

The charter school informed the OIG that the teacher's aide's employment was terminated.