



Office Use Only:	Control No:	Inv. Init.
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Date: _____

Instructions: Read this entire form and all of the instructions carefully before completing. All questions should be answered. This form must be postmarked or received by IDHR within 180 days of the date of the alleged discrimination. IDHR must establish if it has the right under the law to investigate your sexual harassment in elementary, secondary, or higher education claim. If IDHR accepts your claim of sexual harassment in education, information will be typed on an official charge form. The charge form must be signed, notarized and returned to IDHR in a timely manner. The form should be signed and dated below. Use additional sheets if necessary. THIS IS NOT A CHARGE. If IDHR accepts your claim, we will send you a charge form for signature.

1. COMPLAINANT INFORMATION:

Name:	Address:	Apt No:
City:	State:	ZIP:
E-Mail:	Alt. Phone No:	Alt. Phone No:

2. PERSONAL DATA: Please provide the following information for statistical purposes only.

CHECK THE CATEGORY IN THE LIST BELOW OF NATIONAL ORIGIN OR ANCESTRY WITH WHICH YOU MOST STRONGLY IDENTIFY:

Greece (C) Haiti (T) India (N) Ireland (I) Italy (Y) Japan (J) Korea (A)
 Liberia (R) Mexico (M) Middle East (L) Pakistan (K) Philippines (S) Poland (O) Puerto Rico (P)
 U. S. A. (U) Vietnam (V) Other African/Non-Arab (F) Other Eastern Europe (E) Other Hispanic (H)
 Other East Asia (W) Other National Origin or Ancestry (Z)

Date of Birth: _____ Sex: _____

3. WHO ELSE CAN WE CALL IF WE CANNOT REACH YOU: Provide the names of two persons who can contact you in the event IDHR is unable to locate you. Make sure their mailing addresses are different from your mailing address. Your charge could be dismissed if you do not provide this information and we are unable to locate you.

Name:	Address:	Apt No:
City:	State:	ZIP:
Name:	Address:	Apt No:
City:	State:	ZIP:

4. RESPONDENT INFORMATION: You can file a charge naming the institution, naming the education representative, or naming both.

IDHR can investigate charges filed against institutions or elementary, secondary, or higher education, such as public or private universities, colleges, community colleges, junior colleges, business schools, and vocational schools. IDHR can investigate only charges of sexual harassment in education or charges of retaliation for opposing sexual harassment in education or for participating in an investigation (internal or external) of sexual harassment in education for filing an earlier charge. By law, IDHR cannot investigate any other category. You must write out which of the above applies in your situation. IDHR cannot investigate charges against educational institutions regarding discrimination in educational programs other than sexual harassment. (Charges other than sexual harassment should be filed with the U.S. Department of Education, Office of Civil Rights. IDHR cannot investigate charges against the federal government or federal officials.

Write out the full name of the education representative in Illinois you believe sexually harassed you.

Name of the harasser:	Job Title of harasser:
Address:	
City:	State:
ZIP:	Phone No:

Write out the full legal name of the educational institution in Illinois you believe is responsible for harassing you.

Name of Institution:	Office Use Only
Address:	
City:	
State:	
ZIP:	
County:	Phone No:

Type of educational institution that you believe is responsible for sexually harassing you.

Select One <input type="checkbox"/> Public <input type="checkbox"/> Private	Select One <input type="checkbox"/> University <input type="checkbox"/> College	<input type="checkbox"/> Community College	<input type="checkbox"/> Business School	<input type="checkbox"/> Secondary School	Are you now enrolled in the institution named? <input type="checkbox"/> Yes <input type="checkbox"/> No
	<input type="checkbox"/> Junior College	<input type="checkbox"/> Vocational School	<input type="checkbox"/> Elementary School		

If you are or have been enrolled in this institution, provide the following information:

Date of Enrollment:	Grade Level/Major:
Full or Part Time:	Status in addition to student:

5. ACTION TAKENT AGAINST YOU: Describe the action(s) taken against you. Include the date of each action.

<input type="checkbox"/> Unwelcome sexual advances	Dates:
<input type="checkbox"/> Request for sexual favors	Dates:
<input type="checkbox"/> Action contingent upon submission to sexual conduct	Dates:
<input type="checkbox"/> Intimidating, hostile, or offensive educational environment	Dates:
<input type="checkbox"/> Other conduct of a sexual nature	Dates:

6. EXPLAIN HERE, AS SPECIFICALLY AS YOU CAN, WHAT HAPPENED: Be sure to include specific (or approximate) dates.

7. WAS THE CONDUCT WELCOME OR UNWELCOME?: If unwelcome, how did you reject the conduct or make it known it was unwelcome? Explain.

8. WHAT DID THE EDUCATION REPRESENTATIVE STATE TO YOU AS THE REASON(S) FOR TAKING THE ACTION(S) AGAINST YOU?: Discuss each action separately.

9. IF YOU ARE COMPLAINING ABOUT AN INTIMIDATING, HOSTILE OR OFFENSIVE EDUCATIONAL ENVIRONMENT, YOU MUST EXPLAIN HOW THE CONDUCT CREATED SUCH AN ENVIRONMENT AND / OR HOW IT SUBSTANTIALLY INTERFERED WITH YOUR EDUCATIONAL ENVIRONMENT:

10. IF YOU ARE COMPLAINING ABOUT ACTION CONTINGENT UPON SEXUAL CONDUCT, WERE YOU TOLD WHAT WOULD HAPPEN IF YOU DID NOT SUBMIT TO THE SEXUAL ADVANCES? If yes, explain specifically what you were told, by whom, and the date(s) on which you were told this information.

11. WITNESS INFORMATION:

Name:	Address:			Apt No:
City:	State:	ZIP:	Phone No:	
Name:	Address:			Apt No:
City:	State:	ZIP:	Phone No:	

Do you have any documents to support your claim of sexual harassment? Yes No

12. HAVE YOU FILED A COMPLAINT OF SEXUAL HARASSMENT WITH ANYONE WITHIN THE EDUCATIONAL INSTITUTION? If yes, provide the following information:

Date(s) of the complaints:

Name and Title of the education representative whom you told about the sexual harassment or with whom you filed the complaint:

Did the incident of sexual harassment continue after you complained? Yes No

Explain the result of your internal complaint thus far. Include dates of meetings, names, and titles of individuals attending those meetings, witnesses interviewed, documents requested, etc.

Explain your understanding of the sexual harassment policy at the institution.

13. HAVE YOU FILED A PREVIOUS CHARGE AGAINST THIS RESPONDENT WITH IDHR?

Yes No Charge Number(s):

CONSENT AGREEMENT AND RELEASE

I have read the provided "Notice to Complainant" and I understand that: 1) In the course of investigating my charge, IDHR will reveal my identity (including my name) and my personal information to named Respondent(s) in my charge to obtain facts and evidence regarding my charge; 2) I do not have to reveal my personal information to IDHR, but IDHR may close my charge if I refuse to reveal information needed to fully investigate my charge; 4) IDHR may be required by law, subpoena, court order, and/or FOIA request to disclose my charge and information in the Department's investigation file concerning my charge to persons outside of IDHR.

If IDHR takes a charge based on the information provided, I consent for IDHR to disclose my identity and personal information as necessary to process and investigate my charge, and I release IDHR from any liability whatsoever concerning disclosure of my identity and any personal information I provided to IDHR or IDHR obtained in processing my charge.

My signature below verifies the accuracy of the information provided herein and my consent and release as indicated above.

Print Name _____ Signature _____ Date _____

NOTE: If there is certain personal information you would like withheld, please discuss your concern with an Intake supervisor.

IDHR Notice of Accessibility

IDHR's programs are accessible to persons with disabilities in compliance with the ADA and Sec. 504 of the Rehabilitation Act of 1973. A person with a disability needing an accommodation to participate in IDHR programs should contact Susan Allen, the ADA Coordinator, at 217-785-5119, 217-785-5106 (fax), 866-740-3953 (TTY) or e-mail susan.allen@illinois.gov. IDHR provides sign language interpreters upon request. For language other than English, it is the responsibility of the non-English speaking party to secure an interpreter if one is needed. The interpreter must be 18 years of age or older and able to communicate effectively in both languages.

Notice to complainant on release of identity and personal information

The Illinois Human Rights Act ("Act"), 775 ILCS 5/1-101 *et seq.*, and Section 2520.330 of IDHR's Rules and Regulations, 56 Ill. Admin. Code, Ch. II, Section 2520.330, require a charge to contain certain information in such detail as to substantially apprise the parties of the time, place, and facts with respect to the alleged civil rights violation. Pursuant to the Department's Rules and Regulations (2 Ill. Admin Code, Ch. X, Section 926.210), anyone who submits information to IDHR in connection with a discrimination charge should take notice and be aware of the following:

- (a) All contents and files maintained by IDHR pertaining to charges shall be confidential and not subject to public disclosure. Relevant exceptions are: 1) the parties to a charge may inspect the file at any time subsequent to the written notice of substantial evidence, default, or dismissal, administrative closure, or approval of terms of settlement by the Human Rights Commission ("Commission"); 2) after the filing of a Complaint with the Commission or the institution of judicial proceedings involving a charge, the Director may release information pertaining to the charge if such information is requested of IDHR or if the Director finds such information newsworthy, useful in education or training, relevant to an issue before the General Assembly, or similarly appropriate for disclosure.
- (b) Authorized personnel within IDHR analyze information that IDHR collects. This information may include personal information. IDHR staff may need to reveal some of the personal information to individuals outside the office in order to verify facts related to the charge, or to discover new facts which will help IDHR to determine whether the law has been violated. IDHR may need to disclose to Respondent correspondence that IDHR receives from Complainant or other sources.
- (c) IDHR may release the identity and personal information of the parties pursuant to a Freedom of Information Act ("FOIA") request, a subpoena or a court order, and information submitted to or obtained by IDHR may also be revealed to persons outside of IDHR to enforce a Commission Order or a settlement agreement.
- (d) No person is required to file a charge with IDHR and reveal personal information to IDHR; however, if a person files a charge and IDHR cannot obtain the information needed to fully investigate the allegations in the charge, IDHR may close the case.

The Cooper v. Salazar injunction

IDHR is under a federal-court injunction that, among other things, orders IDHR:

"to cease permanently from relying on credibility determinations made without affording the rights of confrontation and cross-examination".

See, *Cooper v. Salazar*, #98 C 2930, U.S. District Court for the Northern District of Illinois, Order dated November 1, 2001, at p. 26, ¶1.

Meaning of the Cooper Injunction

The Department cannot assess the credibility of Complainant's testimony, the testimony of Complainant's witnesses or the testimony of Respondent's representatives or the witnesses of Respondent where there is conflicting testimony. In other words, if the determination of substantial evidence turns on issues of credibility, the Department should make a finding of substantial evidence so that a trier of fact may resolve those issues of credibility. This means that if a determination of lack of substantial evidence requires the Department to make a finding of fact as to conflicting evidence, the Department will make a finding of substantial evidence so that credibility may be resolved by the Human Rights Commission at a Public Hearing or in circuit court.

The Illinois Human Rights Act defines "substantial evidence" as:

"evidence which a reasonable mind accepts as sufficient to support a particular conclusion and which consists of more than a mere scintilla but may be somewhat less than a preponderance". Illinois Human Rights Act §7A-102(D)(2), codified at 775 ILCS 5/7A-102(D)(2).

The Meaning of Credibility

IDHR is an investigatory agency. IDHR's purpose is to gather all of the evidence from each of the parties as to whether Respondent may or may not have discriminated against the Complainant within the meaning of the Illinois Human Rights Act. IDHR's purpose is to review all of the evidence and make a determination based upon the law as to whether there is sufficient evidence of discrimination to file a complaint against the Respondent with the Illinois Human Rights Commission. IDHR will not make a finding that evidence submitted by a party is either believable or not believable. Thus, IDHR will not base its findings on the fact that one of the parties is not telling the truth or that one party's evidence is not believable. If the resolution of the charge of discrimination requires believing the evidence of one party over another party, IDHR will make a finding of Substantial Evidence and refer the matter to the Illinois Human Rights Commission so that a trier of fact may resolve the case.

Conflicting evidence exists when there are

1. Statements of a person with material first hand knowledge contradicted by statements of a different person with material first hand knowledge.
2. Business records contradicted by oral statements of a person with material first hand knowledge.
3. Business records of one person contradicted by business records of another person.