

**AMEND BOARD RULE 6-8 EXPULSION OF PUPILS – CAUSE  
AND BOARD RULE 6-9 SUSPENSION OF PUPILS – CAUSE**

**THE GENERAL COUNSEL RECOMMENDS:**

That the Board amend Board Rule 6-8 Expulsion of Pupils – Cause and Board Rule 6-9 Suspension of Pupils – Cause for alignment with the new Student Code of Conduct.

**TEXT:**

**Sec. 6-8. Expulsion of Pupils - Cause.** Expulsion for a pupil without a disability is a suspension for a period exceeding ten consecutive school days. Expulsion for a student with a disability is a suspension for a period exceeding ten school days in a school year. For a pupil with a disability, a prior determination that the behavior is unrelated to the pupil's disability is a prerequisite for expulsion. However, in all cases, a free appropriate public education must be made available to all students with disabilities expelled from school. Whenever a pupil in any school is found guilty of gross disobedience, misconduct or other violation of the by-laws, Rules and Regulations of the Board of Education of the City of Chicago, the pupil may be expelled from school. "Gross disobedience, misconduct or other violation of the by-laws, Rules and Regulations of the Board of Education" includes the commission of any criminal offense, behavior which injures persons or property, incidents of verbal disrespect or defiance of the authority of principals, teachers and other school personnel, or other act of conduct detrimental to the good order or discipline of the school as defined in the ~~Uniform Discipline Code~~ Student Code of Conduct. The parents or guardian shall be requested to appear before a hearing officer to discuss the pupil's behavior. Such request shall be made by registered or certified mail and shall state the time, place, and purpose of the hearing.

The hearing officer shall report to the Chief ~~Education~~ Executive Officer a written summary of the evidence taken at the hearing together with the hearing officer's recommendations thereon. If the hearing officer recommends that the pupil be expelled, the hearing officer shall state the reasons for the recommendation and the proposed date upon which the student may return to school. The Chief ~~Education~~ Executive Officer or designee shall determine the appropriate disciplinary action upon the summary and recommendations of the hearing officer. No pupil may be expelled except by the decision of the Chief ~~Education~~ Executive Officer or designee. The parent or guardian of an expelled student shall have the right to appeal the expulsion decision to the Chief Executive Officer or designee.

Pupils without a disability referred for expulsion whose presence poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process may be immediately reassigned to an alternative school. Procedural safeguards under the Individuals with Disabilities Education Act Amendments of 1997 apply to students with disabilities.

**Sec. 6-9. Suspension of Pupils – Cause.** For gross disobedience, misconduct, or other violation of the by-laws, Rules and Regulations of the Board of Education of the City of Chicago, a pupil may be suspended temporarily by the principal for a period not exceeding ten consecutive school days for each offense. For a pupil with a disability, the pupil may be suspended for a period not exceeding ten school days in a school year, except where the school has consulted with and received approval from the Chief Specialized Services Officer or their designee. "Gross disobedience, misconduct or other violation of the by-laws, Rules and Regulations of the Board of Education of the City of Chicago," includes the commission of any criminal offense, behavior which injures persons or property, incidents of verbal disrespect or defiance of the authority or principals, teachers and other school personnel, or other act or conduct detrimental to the good order or discipline of the school as defined in the ~~Uniform Discipline Code~~ Student Code of Conduct. Every such suspension shall be reported immediately to the Area Instructional Officer or their designee and also to the parent or guardian of the pupil, with a full statement of the reasons for such suspension. The parent or guardian of a suspended student shall have the right to appeal the suspension decision to the appropriate Area Instruction Officer or designee. The Area Instructional Officer or their designee shall have authority to review the action of the principal ~~and to return the suspended pupil~~ and make a final determination as to the suspension of the student.

Prior to any suspension, the student shall be given oral or written notice of the charges against the student and an informal hearing with an explanation of the basis of the charge and an opportunity to explain his/her version of the facts. Students whose presence poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process may be immediately removed from school. In such cases, the necessary notice and informal hearing should follow as soon as practicable.

Respectfully Submitted 



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General Counsel