

July 22, 2020

**ADOPT ANNUAL REVISIONS TO THE STUDENT CODE OF CONDUCT
EFFECTIVE SEPTEMBER 8, 2020**

THE CHIEF EXECUTIVE OFFICER RECOMMENDS:

That the Chicago Board of Education ("Board") adopt the annual revisions to the Student Code of Conduct ("SCC") including the CPS Anti-Bullying Policy, effective September 8, 2020, which is attached hereto.

DESCRIPTION: Modifications from the previous year's Student Code of Conduct are summarized below:

1. Remove ISS from Group 2 Behaviors: In-School Suspension will no longer be available as a response to Group 2 behaviors in the SCC to better align with existing district guidance for responding to lower-level disruptive student behaviors which include the use of restorative practices and consequences less disruptive to a student's academic program. Repeated Group 2 behaviors will still be eligible for ISS.
2. Network Approval for Suspensions:
 - a. Network approval required for in-school suspension for codes 3-6 & 4-9: Additional oversight by the Network Chief or designee will be added to Sections 3-6 ("Any behavior not otherwise listed in Groups 1 through 3 of this SCC that seriously disrupts the educational process") and 4-9 ("Any behavior not otherwise listed in Groups 1 through 4 of this SCC that very seriously disrupts the educational process"). This will ensure that any in-school suspensions issued using these codes are properly documented to avoid these sections being used as "catch-all" codes.
 - b. Network approval required for all suspensions for code 5-8: Additional oversight by the Network Chief or designee will be added to Section 5-8 ("Engaging in or attempting any illegal behavior which interferes with the school's educational process"). This will ensure that any suspensions issued using these codes are properly documented to avoid this section being used as a "catch-all" code.
3. Retaliation included in bullying code definition: Retaliation against individuals who report bullying is clearly defined in the CPS Anti-Bullying Policy. To better align with this policy definition, specific language for engaging in retaliation against individuals who report bullying was added to Sections 3-10 and 5-4, which cover bullying behaviors in the SCC.
4. Updated language regarding suspension of Network privileges: With remote learning in mind, the language regarding a suspension of Network privileges as a consequence has been updated to include the need to restore privileges as soon as practicable and with appropriate safety measures.

Approved for Consideration:


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STUDENT CODE OF CONDUCT
Effective September 8, 2020

PURPOSE

The Chicago Public Schools (CPS) Student Code of Conduct (SCC) supports our schools in maintaining safe, nurturing, participatory and productive learning environments. In order to maximize learning time and promote positive behaviors, every school must establish multi-tiered systems of support for students' social, emotional and behavioral needs. This includes developing clear expectations, teaching social-emotional competencies, and fostering positive relationships among all members of the school community. Chicago Public Schools is committed to an instructive, corrective, and restorative approach to behavior. If behavior incidents arise that threaten student and staff safety or severely disrupt the educational process, the response should minimize the impact of the incident, repair harm, and address the underlying needs behind student behaviors. In accordance with the SCC, all disciplinary responses must be applied respectfully, fairly, consistently, and protect students' rights to instructional time whenever possible.

A safe, welcoming, and productive school requires the support of all staff, students, and families.

RIGHTS AND RESPONSIBILITIES

Student Rights

- To receive a free high-quality public education
- To be safe at school
- To be treated fairly, courteously, and respectfully
- To bring complaints or concerns to the school principal or staff for resolution
- To tell his/her side of the story before receiving a consequence
- To be told the reason(s) for any disciplinary action verbally and in writing
- To be given information about appealing disciplinary actions
- To express opinions, support causes, assemble to discuss issues, and engage in peaceful and responsible demonstrations

Student Responsibilities

- To read and become familiar with this policy
- To attend school daily, prepare for class, and complete class and homework assignments to the best of his/her ability
- To know and follow school rules and instructions given by the school principal, teachers, and other staff
- To tell school staff about any dangerous behavior or bullying that occurs at school, on the way to and from school, or in the school community
- To bring to school only those materials that are allowed
- To treat everyone in the school community with respect
- To respect school property, community property, and the property of others

Parent/Guardian Rights

- To be actively involved in their child's education
- To be treated fairly and respectfully by the school principal, teachers, and other staff
- To access information about the Chicago Board of Education (Board) policies and procedures
- To be notified promptly if their child is disciplined for inappropriate or disruptive behavior and informed of the consequences assigned
- To appeal disciplinary actions taken
- To receive information about their child's academic and behavioral progress

Parent/Guardian Responsibilities

- To read and become familiar with this policy
- To make sure their child attends school regularly, on time, and to notify the school before the school day begins if their child is absent
- To give the school accurate and current contact information

- To tell school officials about any concerns or complaints respectfully and in a timely manner
- To work with the school principal, teachers, and other staff to address any academic or behavioral concerns regarding their child
- To talk with their child about the behavior expected in school
- To support their child's learning and school activities at home
- To be respectful and courteous to staff, other parents, guardians, and students
- To respect other students' privacy rights

School Staff Rights

- To work in a safe and orderly environment
- To be treated courteously and respectfully
- To bring complaints or concerns to school administration, Network and District offices
- To receive supportive professional development and resources

School Staff Responsibilities

- To explicitly teach, re-teach and model clear behavioral expectations to all students
- To actively supervise all areas of the school building and use positive strategies to redirect behavior
- To provide engaging learning activities that minimize opportunities for disruption
- To intervene early and de-escalate inappropriate behaviors
- To identify and respond effectively to students' social, emotional, and/or behavioral health needs, including referring students for additional support when necessary
- To treat everyone in the school community fairly and with respect
- For administrators to review the circumstances surrounding each situation and exercise their discretion to assign interventions/consequences in the best interest of the school community
- For administrators to apply the SCC accurately, consistently, and in a non-discriminatory manner, including providing students with opportunities to respond, notifying parent/guardians when disciplinary action is taken, and recording all disciplinary action in the District student information system

Chief Executive Officer or Designee Responsibilities

- To monitor the implementation of prevention strategies and the safety and security program in each school
- To systematically monitor and publish suspension, expulsion, and other disciplinary data disaggregated by race/ethnicity, sex, limited English proficiency, and disability
- To prepare recommendations for improving school discipline
- To create guidelines for effective school discipline
- To establish procedures for reciprocal reporting with the Chicago Police Department

GENERAL REQUIREMENTS

The SCC applies to students at all times during the school day, while on school property, while traveling to and from school, at any school-related event, on any vehicle funded by CPS (such as a school bus), and while using the CPS network.¹

The SCC also applies to student behavior outside of school if: (1) a student engages in a Group 5 or 6 behavior, and (2) the behavior disrupts or may disrupt the educational process or orderly operation of the school. This includes seriously inappropriate behavior on social networking websites that disrupts or may disrupt the educational process or orderly operation of the school.

To address inappropriate behavior, school administrators must comply with the *Guidelines for Effective Discipline* which shall be issued by the Office of Social & Emotional Learning. At a minimum, a principal or his/her designee must:

- 1) **Redirect to correct behavior.** All adults should redirect students to correct inappropriate behavior and minimize the likelihood of the behavior escalating or recurring.
- 2) **Intervene** to minimize escalation, disruption, resolve conflict, and as necessary to keep students and staff safe. If a student has been injured, make every reasonable effort to immediately notify the parents/guardians.
- 3) **Gather information** by talking to all involved students, teachers, school staff, or others who witness the incident. When student misbehavior is reported to the school principal or designee, an investigation must begin no later than the next school day; however, if student safety is at risk, investigations must begin immediately.
 - a) If there is an allegation of sexual misconduct, including but not limited, sexual harassment, sexual bullying, sexual assault, dating violence, or discrimination related to sex, sexual orientation, gender identity, or gender expression, contact the Office of Student Protections and Title IX ("OSP") immediately for support in following the remaining steps. OSP can be reached at (773) 535-4400.
 - b) If a search of the student, his/her locker, desk, or personal belongings needs to be conducted, follow the Board's Search and Seizure Policy (<http://policy.cps.edu/download.aspx?ID=190>). Identify factors that may have contributed to the incident and seek to understand the full context.
- 4) **Analyze** whether the student's alleged behavior falls within the SCC using the information gathered. If so, determine the Group level of disruption caused by the inappropriate behavior, identify the inappropriate behavior listed, and consider the range of possible interventions and consequences.
- 5) **Discuss** with the student and **provide the opportunity to explain** his/her perspective.
 - a) Inform the student of the inappropriate behavior s/he may have exhibited, the applicable SCC behavior category, and the range of possible interventions and consequences.
 - b) Allow the student to respond and explain his/her actions. Ask the student to explain what happened from his/her perspective and reflect on his/her actions.
 - c) Seek to understand the root cause of the behavior, including trauma or unmet social, emotional or behavioral health needs.
 - d) Make reasonable efforts to contact the parents/guardians and discuss the incident with them before assigning interventions and consequences.
 - e) No student shall be sent home before the end of the school day unless the school has established contact with the student's parent/guardian and provided written notice of a suspension.
- 6) **Make a determination and consider the needs of all parties involved.**
 - a) Determine whether it is more likely than not that the student engaged in the identified SCC inappropriate behavior and the intervention or consequence most likely to address the cause of the behavior.

¹ The CPS network means systems, computer resources, and infrastructure used to transmit, store, and review data or communicate over an electronic medium and includes, but is not limited to, the E-mail system(s), collaboration systems, databases, hardware, telecommunication devices, information systems, internet service, distance learning tools, the CPS intranet system or CPS mainframe systems, whether owned or contracted by the Board or otherwise used for school purposes. Students are subject to the requirements in the Policy on Student Acceptable Use of the CPS Network (<http://policy.cps.edu/download.aspx?ID=203>).

- b) Identify the social, emotional, and/or safety needs of the affected student(s) and provide appropriate supports and follow up.
- 7) **Assign interventions or consequences** according to the SCC.
- Identify the intervention(s) or consequence(s) most likely to address the cause of the behavior including social, emotional or trauma-related needs, repair harm, and prevent repeat behaviors.
 - The principal or designee has the final authority to assign interventions and consequences based on the best interest of the school community, including available school resources, and the needs and rights of all involved students or staff harmed, and the rights of the student engaged in inappropriate behavior, in alignment with the SCC.
 - Follow the special procedures contained in the Procedural Safeguards section for students with disabilities and students with Section 504 Plans.
 - Avoid consequences that will remove the student from class or school, if possible. **Use out-of-school suspensions only as a last resort in accordance with the suspension guidelines on page 7.**
 - Note that CPS does not support the use of zero tolerance policies that require school staff to suspend or expel students for certain behaviors except if required by law. This means out-of-school suspensions cannot be a minimum or required consequence unless required by law.
 - If a student is suspended, the principal or his/her designee may choose to give the student a combination of out-of-school and skill-building in-school suspension days. The out-of-school suspension must be served first and the combined total of out-of-school and in-school suspension days must not exceed the limits available for each Group level.
 - School staff members must not use public disciplinary techniques and must respond to inappropriate student behavior as confidentially as possible.
 - No restrictions may be placed on food options or recess activities as a behavior consequence. Silent group lunches are expressly prohibited.
- 8) **Complete report** in the District student information system for all inappropriate behaviors under the SCC. Hand-deliver to the parents/guardians or mail a copy of the misconduct report to the student's home address.
- 9) **Inform parents/guardians of their right to appeal** if they believe that the consequence is unwarranted or excessive.
- The parents/guardians have the right to ask the principal to review the consequence assigned and to reconsider the decision.
 - If a student has received an out-of-school suspension or referred for an expulsion hearing, the parents/guardians may appeal by contacting the Department of Student Adjudication at (773) 553-2249, studentadjudication@cps.edu, or the Network Chief of Schools ("Network Chief") or his/her designee (contact information available at www.cps.edu/Networks). For District schools that do not have Network oversight, appeals may be made to the Office of Network Support or designee. The Network Chief or designee will review the appeal and determine:
 - whether any factual errors were made in the principal's investigation,
 - whether the documentation of the student's behavior aligns to the recorded SCC behavior category,
 - whether prior interventions were attempted when appropriate,
 - whether the length of the suspension was commensurate with the student's inappropriate behavior,
 - whether appropriate due process was given (see 5(a)-(e) on page 4), and
 - in the case of a request for an expulsion hearing, whether the request was appropriate.

The Network Chief or designee's decision shall be final. The term of a student's suspension or request for an expulsion hearing is not halted by the parents/guardians' appeal.

- If a student has been expelled and referred to a SAFE Schools Alternative Program, the parents/guardians may appeal the final determination in writing and send additional evidence not available at the time of the expulsion hearing to the Chief Education Officer's designee. The decision of the CEEO or designee regarding the appeal shall be final. The start of a student's expulsion is not delayed by the parents/guardians' appeal.

- 10) **Restore** the student's participation in the school community.
 - a) If the student received an out-of-school suspension for three (3) or more days, the principal or designee must develop a plan to support the student's transition back into the school community, including strategies for preventing future behavior incidents, restoring relationships, and addressing the student's ongoing social, emotional, and academic needs, with input from the student and parents/guardians. For more information, see *Guidelines for Effective Discipline*.
 - b) When a student is set to return from an expulsion and has been attending the Safe Schools Alternative Program, school administrators must attend a transition meeting, which should include the student, parents/guardians, and alternative school staff members, to discuss the student's return and prepare for a successful transition.

SUSPENSION GUIDELINES

Students in grades pre-kindergarten through second may NOT be assigned in-school or out-of-school suspensions. If a student in pre-kindergarten through second grade exhibits behavior that presents an imminent endangerment to the physical, emotional, or mental safety of specific students/staff, the Network Chief or designee may grant an exception and assign an emergency one-day in-school or out-of-school suspension after the student's parent/guardian has been notified. During the suspension, the principal or designee must develop a plan addressing the safety of students/staff and including strategies for preventing future behavior incidents, restoring relationships, and addressing the student's ongoing social, emotional, and academic needs.

Skill-Building In-School Suspension

A skill-building in-school suspension is the removal of a student from his/her regular educational schedule for more than 60 minutes of the school day to an alternative supervised setting inside the school building to engage in structured activities that develop academic, social, emotional, and/or behavioral skills.

A student in grades third through twelfth may be assigned a skill-building in-school suspension if:

1. Skill-building in-school suspension is listed as an available consequence for the SCC behavior category, and
2. The student was informed of his/her reported misbehavior, provided an opportunity to respond, and reasonable efforts were made to contact the parents/guardians, and
3. A copy of the misconduct report (generated in the District student information system) was provided to the student's parents/guardians.

Out-of-School Suspension

An out-of-school suspension is the removal of the student from class attendance or school attendance. When a student is removed from school in response to an inappropriate behavior, the removal counts as the first day of an out-of-school suspension.

A student in grades third through twelfth may be assigned an out-of-school suspension if:

1. Out-of-school suspension is listed as an available consequence for the SCC behavior category, and
2. The principal or designee determines that the student's attendance at school presents an imminent endangerment to the physical, emotional, or mental safety of specific students/staff and this threat is documented in the District student information system, or
3. The principal or designee determines that the student's behavior has caused chronic or extreme interruption to other students' participation in school activities and prior interventions have been utilized and documented in the District student information system, and
4. The student was informed of his/her reported misbehavior, provided an opportunity to respond, and reasonable efforts were made to contact the parents/guardians, and
5. A copy of the misconduct report (generated in the District student information system) was provided to the student's parents/guardians.

A student serving out-of-school suspension is not allowed to come onto school property, participate in extracurricular activities, or attend school-sponsored events. A student may be considered trespassing if he or she comes onto school grounds while suspended out of school.

Out-of-school suspensions are excused absences. The principal must ensure that a student serving suspension is able to obtain homework, and upon the student's return, provided with the opportunity to make up any quizzes, tests, special projects, or final exams given during the period of suspension.

A student serving suspension must be allowed to take state assessments at school and may participate in test preparation activities with Network Chief approval. The student's attendance will still be marked as suspended. The Network Chief must approve any other exception to the out-of-school suspension guidelines. If approved by the CEO's designee, a student suspended for more than three (3) days may be required to attend a District-sponsored program during the term of suspension.

POLICE NOTIFICATION GUIDELINES

School administrators contact the Chicago Police Department (CPD) in two situations: (1) to seek assistance with an emergency situation, or (2) to notify law enforcement of a criminal act.

Emergency

School administrators have the responsibility to call 9-1-1 in situations they determine to be emergencies.

In an emergency situation, administrators must make reasonable efforts to notify parents/guardians immediately after contacting CPD.

Criminal Acts

When a student engages in illegal activity, it may be necessary for school staff to report the act to CPD. In this situation, school officials contact CPD to report violations of the law. School officials must not contact CPD merely to request removal of a disruptive student from the school in a non-emergency situation.

In a non-emergency situation, administrators must make reasonable efforts to contact parents/guardians prior to contacting CPD.

Sexual Misconduct

If school administrators are made aware of a criminal act of sexual misconduct that is in progress, they must contact CPD. When made aware of an allegation of sexual misconduct, including but not limited, sexual harassment, sexual bullying, sexual assault, dating violence, or discrimination related to sex, sexual orientation, gender, or gender expression, contact the Office of Student Protections and Title IX at (773) 535-4400 to assist in assessing whether police notification is needed ~~at the OSP Hotline: (773) 535-4400~~. DCFS mandatory reporter obligations are separate from reporting to CPD and must always be followed; please consult the Policy on Child Abuse and Neglect if needed.

The inappropriate behaviors that are clear violations of criminal law are identified in the next section with an asterisk (*) before the specific inappropriate behavior. The inappropriate behaviors that may be violations of criminal law are identified in the next section with a double asterisk (**) before the specific inappropriate behavior.

School officials must assess the situation before determining whether or not to contact CPD to report a criminal act. School officials should consider factors including:

- Whether the student distributed or was in possession of illegal drugs, narcotics, controlled substances, or "look-alikes" of such substances. If so, CPD must be notified.
- Whether the student was in possession of a firearm.² If so, CPD must be notified.
- The severity of the criminal violation and the degree of harm to the school community,
- Whether a person was physically injured as a result of the student's conduct,
- Whether the student presents an imminent danger to the health, safety, or welfare of others, and
- The student's age. For a student in fifth (5th) grade or below, school staff must consult with the Law Department (773 553-1700) prior to reporting the act to CPD.

Once school staff members contact CPD, the responding police officers ultimately will determine whether or not to investigate, arrest, and/or take any other steps in response. School principals and staff do not have the authority to decide whether a student will be arrested. Moreover, responding police officers do not have the authority to decide whether a student will receive interventions or consequences at school. The school principal will use the SCC to determine the appropriate intervention(s) and/or consequence(s) to address a student's behavior.

² See Reference Guide for definition.

Possible Violations of Criminal Law *Consider factors above prior to notifying CPD	Violations of Criminal Law *Consider factors above prior to notifying CPD
<ul style="list-style-type: none"> • Gambling (3-2) • Forgery (3-7) • False activation of a fire alarm that does not cause a school facility to be evacuated or does not cause emergency services to be notified (4-1) • Extortion (4-2) • Assault (4-3) • Vandalism or criminal damage to property that costs less than \$500 (4-4) • Battery or aiding or abetting in the commission of a battery which does not result in a physical injury (4-5) • Fighting – more than two people and/or involves injury (4-6) • Theft or possession of stolen property that costs less than \$150 (4-7) • Possession, use, sale, or distribution of fireworks (4-8) • Trespassing on CPS property (4-11) • <u>Use or possession of alcohol, drugs, controlled substances, “look-alikes” of such substances, contraband (including all vaporizer devices that contain substances for the purposes of intoxication or any unknown substances), or use of any other substance for the purpose of intoxication in or before school or a school-related function. (4-14)</u> • Use of intimidation, credible threats of violence, coercion, or persistent severe bullying (5-4) • Inappropriate sexual conduct (5-7) • Use or possession of alcohol, drugs, controlled substances, “look-alikes” of such substances, contraband (including all vaporizer devices that contain substances for the purposes of intoxication or any unknown substances), or use of any other substance for the purpose of intoxication in or before school or a school-related function. (4-14) 	<ul style="list-style-type: none"> • Knowingly or intentionally using the CPS network or information technology devices to spread viruses to the CPS network (4-12) • Aggravated assault (5-1) • Burglary (5-2) • Theft or possession of stolen property that costs more than \$150 (5-3) • Gang activity or overt displays of gang affiliation (5-6) • Engaging in any other illegal behavior which interferes with the school’s educational process, including attempt (5-8) • Persistent or severe acts of sexual harassment (5-9) • False activation of a fire alarm which causes a school facility to be evacuated or causes emergency services to be notified (5-10) • Battery, or aiding or abetting in the commission of a battery, which results in a physical injury (5-12) • Use of any computer, including social networking websites, or use of any information technology device to threaten, stalk, harass, bully or otherwise intimidate others, or hacking into the CPS network to access student records or other unauthorized information, and/or to otherwise circumvent the information security system (5-14) • Vandalism or criminal damage to property that costs more than \$500 or that is done to personal property belonging to any school personnel (5-15) • Participating in a mob action (5-19) • Use, possession, and/or concealment of a firearm/destructive device or other weapon or “look-alikes” of weapons, or use or intent to use any other object to inflict bodily harm (6-1) • Intentionally causing or attempting to cause all or a portion of the CPS network to become inoperable (6-2) • Arson (6-3) • Bomb threat (6-4) • Robbery (6-5) • Sale, distribution, or intent to sell or distribute alcohol, illegal drugs, narcotics, controlled substances, “look-alikes” or such substances, contraband, or any other substance used for the purpose of intoxication (6-6) • Sex acts, and attempted sex acts, that occur without the voluntary participation of one or more parties, that may involve the use of implicit or implied force (6-7) • Aggravated battery, or aiding and abetting in the commission of an aggravated battery (6-8) • Murder (6-9) • Attempted murder (6-10) • Kidnapping (6-11) • Theft or possession of stolen property that costs more than \$1,000 (6-12)

STUDENT BEHAVIORS COVERED BY THE SCC

This section identifies the specific inappropriate behaviors for which students will receive interventions and/or consequences. The behaviors are listed in six different groups, according to the degree of disruption to the learning environment.

- Group 1 lists behaviors that are *inappropriate*.
- Group 2 lists behaviors that *disrupt*.
- Group 3 lists behaviors that *seriously disrupt*.
- Group 4 lists behaviors that *very seriously disrupt*.
- Group 5 lists behaviors that *most seriously disrupt*.
- Group 6 lists behaviors that are *illegal and most seriously disrupt*.

Special Notes:

Individual School Rules and Academic Progress

Individual schools may develop school rules that are consistent with this SCC and may address inappropriate student behaviors not specifically included in this SCC. However, poor academic achievement is not an inappropriate behavior. The SCC and school rules may *not* be used to discipline students for poor academic progress or failure to complete in-class and homework assignments. Instead, struggling students should be considered for academic or behavioral interventions to help them improve. Also, students must not be disciplined for the parents/guardians' refusal to consent to the administration of medication.

Cellular Phones and Other Information Technology Devices³

A principal may allow students to possess cellular phones or other information technology devices by creating a school policy identifying when the items may be authorized, used, and how they must be kept. A principal may also prohibit cellular phones and other information technology devices but allow individual students to possess them for any good cause after considering a written request from a parent/guardian. If a principal denies a parent/guardian's request, the parent may appeal to the Network Chief or his/her designee. Unless approved by the principal, cellular phones and other information technology devices are not allowed at school.

Network Privileges and Access⁴

A principal may request that a student's access or privileges to the CPS network be temporarily restricted, in whole or in part, as a result of SCC violations that create an unsafe learning environment or if they prevent other students from accessing their learning. These restrictions to the CPS network should not be indefinite and should be restored as soon as possible once appropriate plans are in place to ensure ongoing safety and access for all students to the greatest extent possible.

School Dress Codes and Uniform Policies

Local School Councils may adopt a dress code policy that forbids students from wearing certain items or a uniform policy that requires students to wear a specific uniform. Dress codes and uniform policies should be gender-neutral. Students who fail to follow a school's dress code or uniform policy may be given detentions or excluded from extracurricular activities, but may not be barred from attending class. A student may receive additional consequences for violating a school's dress code or uniform policy if the student's dress disrupts or may disrupt the educational process. For example, a student may receive a consequence

³ *These include, but are not limited to: computers, cellular phones used to exchange or access information, pagers, and personal digital assistants or handheld devices, that are used to access the internet, electronic mail or other information sites and that may or may not be physically connected to the network infrastructure.*

⁴ The CPS network means systems, computer resources, and infrastructure used to transmit, store, and review data or communicate over an electronic medium and includes, but is not limited to, the E-mail system(s), collaboration systems, databases, hardware, telecommunication devices, information systems, internet service, distance learning tools, the CPS intranet system or CPS mainframe systems, whether owned or contracted by the Board or otherwise used for school purposes. Students are subject to the requirements in the Policy on Student Acceptable Use of the CPS Network (<http://policy.cps.edu/download.aspx?ID=203>).

for wearing clothing or accessories that display gang affiliation. This paragraph does not apply to students enrolled in Military Academies or JROTC Programs.

Military and JROTC Programs

Board-designated military academies and other JROTC programs may enforce standards of conduct and intervention or consequences that are consistent with the military nature of those schools and programs, in addition to the standards of conduct and intervention or consequences described in this SCC. Students enrolled in a military academy who repeatedly engage in acts of gross misconduct or insubordination (student act that defies a lawful and appropriate direct order of a superior ranked officer, staff member or another student), or who repeatedly fail or refuse to wear the required military uniform, may be subject to administrative transfer by the military academy principal to another school (or in the case of a JROTC program, dismissal from the program). Prior to an administrative transfer, a conference must be held with the parents/guardians, student, military academy principal, and a designee of the Chief Executive Officer. Students who have been transferred for administrative reasons from any military academy must be accepted by their attendance area school. Students who have been given an administrative transfer to another Chicago public school or expelled from the Chicago Public Schools lose all rank and privileges at the JROTC military academies and must reapply to the JROTC program and the military academies for enrollment. Upon their child's enrollment at a military academy, parents/guardians shall be informed of the uniform policy, expectations of the military academy, and the administrative transfer policy, and shall indicate by signature their agreement to adhere to the terms of these policies.

Dating Violence Statement

Any school employee who is notified by a parent, guardian or student, or who reasonably suspects, that a student has been the victim of dating violence shall immediately report that information to the principal/designee. Dating violence is defined as violent, controlling, or intimidating behavior that an individual uses against a current or former dating partner. It can include emotional, physical and sexual abuse, stalking, yelling, harassing, threatening, name-calling, threats of suicide, obsessive phone calling or text messaging, extreme jealousy and possessiveness. These allegations or suspicions should be reported to the Office of Student Protections and Title IX immediately. The principal shall ensure that the student victim of dating violence receives appropriate support services in accordance with the Board's Policy on Domestic Violence, Dating Violence and Court Orders of Protection, Restraint or No Contact (<http://policy.cps.edu/download.aspx?ID=43>).

SCC and Other Laws, Policies, Rules, and Contracts

The inappropriate behaviors and range of possible consequences and interventions listed in this policy are consistent with the Illinois School Code, Board Rules and Policies, negotiated agreements, and all other applicable state and federal laws.

The SCC applies to CPS contract and performance schools.

CPS charter schools are exempt from local school board policies under Illinois law (105 ILCS 5/27A). Charter schools may choose to adopt the SCC or establish their own discipline policies. Charter schools are not exempt from federal and most state laws, the Individuals with Disabilities Education Act (IDEA) or from federal and state regulations as they pertain to discipline of students with disabilities/impairments. If a charter school establishes its own discipline policy, it must incorporate language from and comply with the guidelines for suspension and expulsion of students with disabilities/impairments outlined in this policy. Charter schools must also comply with policies and procedures established by the Office of Diverse Learner Supports and Services for the discipline of students with disabilities. Students expelled from charter schools should contact the Department of Student Adjudication at (773) 553-2249 for assistance in enrollment into a school post-charter expulsion.

Corporal punishment is expressly prohibited. Chicago Board of Education Rule 6-21 states: "No employee of the Board of Education may inflict corporal punishment of any kind upon persons attending the public schools of the City of Chicago."

GROUP 1

INAPPROPRIATE BEHAVIOR		AVAILABLE INTERVENTIONS AND CONSEQUENCES
1-1	Running and/or making excessive noise in the hall or building	<ul style="list-style-type: none"> ◆ Documented Teacher, Student, Parent/Guardian, and/or Administrator Conference focused on expectation violated, cause of behavior, and strategy to prevent recurrence ◆ Recommended instructive, corrective, or restorative response (see <i>Guidelines for Effective Discipline</i>) ◆ Detention – lunch, before school, after school, or Saturday
1-2	Leaving the classroom without permission	
1-3	Engaging in any behavior that is disruptive to the orderly process of classroom instruction	
1-4	Loitering, or occupying an unauthorized place in the school or on school grounds	
1-5	Failing to attend class without a valid excuse	
1-6	Persistent tardiness to school or class (3 or more incidents per semester)	
1-7	Use of the CPS network for the purpose of accessing non-educational materials, such as games and other inappropriate materials ⁵	
1-8	Unauthorized use or possession of cellular telephones or other information technology devices	

⁵ Students may be temporarily suspended from some or all CPS network privileges for improper use of the CPS network for one to five days, in addition to any other interventions and consequences listed when it has been established that the behavior has resulted in an unsafe learning environment or if other students' access to learning has been interrupted. CPS network privileges will be restored as soon as possible once appropriate plans are in place to ensure ongoing safety and access for all students to the greatest extent possible.

GROUP 2

DISRUPTIVE BEHAVIOR	AVAILABLE INTERVENTIONS AND CONSEQUENCES (Whenever possible, interventions and consequences that do not exclude the student from his/her regular educational schedule should be attempted first.)
2-1 Posting or distributing unauthorized written materials on school grounds 2-2 Leaving the school without permission 2-3 Interfering with school authorities and programs through walkouts or sit-ins 2-4 Initiating or participating in any unacceptable minor physical actions 2-5 Failing to abide by school rules and regulations not otherwise listed in the SCC 2-6 Exhibiting or publishing any profane, obscene, indecent, immoral, libelous, or offensive materials, or using such language or gestures 2-7 Possession (physical control over, such as contained in clothing, lockers, or bags) and/or use of tobacco or nicotine products, matches, or cigarette lighters, including vaporizer devices that contain nicotine products or vaporizer components that do not contain substances 2-8 Disregard for the instructions or direction of school personnel causing interruption to other students' participation in school activities 2-9 Failing to provide proper identification 2-10 Unauthorized use of school parking lots or other areas 2-11 Use of the CPS network for the purposes of distributing or downloading non-educational material ⁶	<ul style="list-style-type: none"> ◆ Documented Teacher, Student, Parent/Guardian, and/or Administrator Conference focused on expectation violated, cause of behavior, and strategy to prevent recurrence ◆ Recommended instructive, corrective, or restorative response (see <i>Guidelines for Effective Discipline</i>) ◆ Detention – lunch, before school, after school, or Saturday ◆ Skill-building in-school suspension up to three days

⁶ Students may be temporarily suspended from some or all CPS network privileges for improper use of the CPS network for five to ten days, in addition to any other interventions and consequences listed when it has been established that the behavior has resulted in an unsafe learning environment or if other students' access to learning has been interrupted. CPS network privileges will be restored as soon as possible once appropriate plans are in place to ensure ongoing safety and access for all students to the greatest extent possible.

GROUP 3

SERIOUSLY DISRUPTIVE BEHAVIOR	AVAILABLE INTERVENTIONS AND CONSEQUENCES (Whenever possible, interventions and consequences that do not exclude the student from his/her regular educational schedule should be attempted first.)
<p>3-1 Disruptive behavior on the school bus⁷</p> <p>**3-2 Gambling – participating in games of chance or skill for money or things of value</p> <p>3-3 Fighting⁸ – physical contact between two people with intent to harm, but no injuries result</p> <p>3-4 Profane, obscene, indecent, and immoral or seriously offensive language and gestures, propositions, behavior, or harassment based on race, color, national origin or immigration status, sex, gender, sexual orientation, age, religion, gender identity, gender expression or disability⁹</p> <p>3-5 Second or more documented violation of a Group 1 or 2 behavior category¹⁰</p> <p>3-6 Any behavior not otherwise listed in Groups 1 through 3 of this SCC that seriously disrupts the educational process</p> <p>**3-7 Forgery – false and fraudulent making or altering of a document or the use of such a document</p> <p>3-8 Plagiarizing, cheating and/or copying the work of another student or other source</p> <p>3-9 Overt display of gang affiliation¹¹</p> <p>3-10 Bullying behaviors – conduct directed towards a student, or retaliation against another person for reporting non-sexual conduct that can be reasonably predicted to cause fear of physical or mental harm, harm to property, and/or interfere with student's ability to participate in school or school activities (see Anti-Bullying Policy for full definition before assigning an intervention or consequence)¹²</p>	<ul style="list-style-type: none"> ◆ Documented Teacher, Student, Parent/Guardian, and Administrator conference focused on expectation violated, cause of behavior, and strategy to prevent recurrence ◆ Recommended instructive, corrective, or restorative response (see <i>Guidelines for Effective Discipline</i>) ◆ Detention – lunch, before school, after school, or Saturday ◆ Skill-building in-school suspension up to three days <p>ADDITIONAL CONSEQUENCES AVAILABLE FOR REPEATED GROUP 3 INAPPROPRIATE BEHAVIOR</p> <ul style="list-style-type: none"> ◆ Skill-building in-school suspension, out-of-school suspension, or combination in-school and out-of-school suspension up to three days <ul style="list-style-type: none"> ➤ Out-of-school and in-school suspensions assigned to repeated 3-06 behavior must be approved by the Network Chief or designee. For District schools that do not have Network oversight, appeals <u>approvals</u> may <u>must</u> be made <u>by</u> to the Office of Network Support. ➤ Out-of-school suspensions of three days or less may be used only if the student's continuing presence in school would pose a threat to safety or a disruption to other students' learning opportunities.

** Behaviors marked with two asterisks indicate that the misconduct may be a violation of the law.

⁷ In addition to other disciplinary actions, a student who engages in disruptive behavior on the school bus may be subject to suspension from bus service for a period to be determined by the school principal with review by the Chief Executive Officer or designee.

⁸ It is not an act of misconduct to defend oneself as provided by the law.

⁹ Behaviors targeted at sex, gender, sexual orientation, gender identity, or gender expression must be reported to the Office of Student Protections and Title IX.

¹⁰ For example, a student's first time failing to provide proper identification would be recorded as a 2-9 behavior category and available consequences would include skill-building in-school suspension up to three days. A student's second time failing to provide proper identification would be recorded as a 3-5 behavior category and available consequences would include skill-building in-school suspension up to three days. A student's third time failing to provide proper identification would be recorded as a 3-5 behavior category, repeated Group 3 inappropriate behavior, and available consequences would include skill-building in-school suspension, out-of-school suspension, or combination in-school and out-of-school suspension up to three days.

¹¹ A gang is any ongoing organization or group of three or more persons having as one of its primary activities the commission of one or more criminal acts, which has an identifiable name or identifying sign or symbol, and whose members individually or collectively engage in or have engaged in a pattern of criminal activity. Gang activity means any act (e.g., recruitment with use of intimidation, tagging or marking, assault, battery, theft, trespassing, or extortion) performed by a gang member or on behalf of a gang, and intended to further a common criminal objective. An overt display of gang affiliation means any act (e.g., wearing clothing or paraphernalia, displaying gang signs, symbols, and signals) that signifies or exhibits affiliation with a gang. Gang activity and overt displays of gang affiliation can be implied from the character of the acts and the circumstances surrounding the misconduct. Repeated violations of Behavior 3-9 of the SCC may result in a referral for an expulsion hearing and should be submitted as Behavior 5-6.

¹² Behaviors targeted at sex, gender, sexual orientation, gender identity, or gender expression must be reported to the Office of Student Protections and Title IX.

3-11	Use of cellular telephones or other information technology device to harass, incite violence, or interrupt other students' participation in school activities, including use of device to record others without permission or unauthorized distribution of recordings which are not sexual in nature ^{13 14}	
3-12	Inappropriately wearing any JROTC or Military Academy Uniform on or off school grounds	
3-13	Use of the CPS network for a seriously disruptive purpose not otherwise listed in this SCC ¹⁵	

¹³ *Students may be temporarily suspended from some or all CPS network privileges for improper use of information technology devices for one semester (for first violation) or up to one year (for second or subsequent violation), when it has been established that the behavior has resulted in an unsafe learning environment or if other students' access to learning has been interrupted. CPS network privileges will be restored as soon as possible once appropriate plans are in place to ensure ongoing safety and access for all students to the greatest extent possible.*

¹⁴ *Behaviors targeted at sex, gender, sexual orientation, gender identity, or gender expression must be reported to the Office of Student Protections and Title IX.*

¹⁵ *Students may be temporarily suspended from some or all CPS network privileges for improper use of information technology devices for one semester (for first violation) or up to one year (for second or subsequent violation), when it has been established that the behavior has resulted in an unsafe learning environment or if other students' access to learning has been interrupted. CPS network privileges will be restored as soon as possible once appropriate plans are in place to ensure ongoing safety and access for all students to the greatest extent possible.*

GROUP 4

VERY SERIOUSLY DISRUPTIVE BEHAVIOR	AVAILABLE INTERVENTIONS AND CONSEQUENCES (Whenever possible, interventions and consequences that do not exclude the student from his/her regular educational schedule should be attempted first.)
**4-1 False activation of a fire alarm that does not cause a school facility to be evacuated or does not cause emergency services to be notified	<ul style="list-style-type: none"> ◆ Documented Teacher, Student, Parent/Guardian, and Administrator conference focused on expectation violated, cause of behavior, and strategy to prevent recurrence ◆ Recommended instructive, corrective, or restorative response (see <i>Guidelines for Effective Discipline</i>) ◆ Detention – lunch, before school, after school, or Saturday ◆ Skill-building in-school suspension, out-of-school suspension, or combination in-school and out-of-school suspension up to three days <ul style="list-style-type: none"> ➢ Out-of-school <u>and in-school</u> suspensions assigned to 4-9 behavior must be approved by the Network Chief or designee. For District schools that do not have Network oversight, <u>appeals approvals may must be made by</u> to the Office of Network Support. ➢ Out-of-school suspensions of three days or less may be used only if the student's continuing presence in school would pose a threat to safety or a disruption to other students' learning opportunities
**4-2 Extortion – obtaining money or information from another by coercion or intimidation	
**4-3 Assault ¹⁶ – an attempt or reasonable threat to inflict injury on someone with a show of force that would cause the victim to expect an immediate battery	
**4-4 Vandalism (willful or malicious destruction or defacing of the property of others) or criminal damage to property at a cost less than \$500	
**4-5 Battery (unwanted bodily contact with another person without legal justification) or aiding or abetting in the commission of a battery which does not result in a physical injury	
**4-6 Fighting ¹⁷ – physical contact between more than two people with intent to harm, or physical contact between two people with intent to harm that results in injury	
**4-7 Theft (unauthorized control over the physical property of another) or possession (physical control over, such as contained in clothing, lockers or bags) of stolen property that costs less than \$150	
**4-8 Possession, use, sale, or distribution of fireworks	
4-9 Any behavior not otherwise listed in Groups 1 through 4 of this SCC that very seriously disrupts the educational process	
4-10 [this code intentionally left blank]	
**4-11 Trespassing on CPS property – entering CPS property when previously prohibited or remaining on school grounds after receiving a request to depart	
*4-12 Knowingly or intentionally using the CPS network or information technology devices to spread viruses to the CPS network ¹⁸	
4-13 Possession of any dangerous object as defined by this SCC, first documented behavior (see Reference Guide) ¹⁹	

* Behaviors marked with a single asterisk indicate that the misconduct is a violation of the law.

** Behaviors marked with two asterisks indicate that the misconduct may be a violation of the law.

¹⁶ An assault may be committed without actually touching, striking or injuring the victim.

¹⁷ It is not an act of misconduct to defend oneself as provided by the law.

¹⁸ Students may be temporarily suspended from some or all CPS network privileges for improper use of information technology devices for one semester (for first violation) or up to one year (for second or subsequent violation), when it has been established that the behavior has resulted in an unsafe learning environment or if other students' access to learning has been interrupted. CPS network privileges will be restored as soon as possible once appropriate plans are in place to ensure ongoing safety and access for all students to the greatest extent possible.

¹⁹ Second or repeated violations of Behavior 4-13 may result in a request for an expulsion hearing and must be submitted as Behavior 5-11.

<p>**4-14 Use or possession of alcohol, drugs, controlled substances, "look-alikes" of such substances, contraband (including all devices that contain substances for the purposes of intoxication or any unknown substances), or use of any other substance for the purpose of intoxication in or before school or a school-related function.²⁰</p>	
<p>4-15 Initiating or participating in inappropriate physical contact with school personnel, such as pushing school personnel out of the way in order to physically fight with another student, with no intent to harm school personnel</p>	
<p>4-16 Voluntary sex acts that occur on CPS property or during CPS-sponsored activities. This includes any voluntary action that includes genital contact, including fondling, digital penetration, sexual intercourse, and oral sex.²¹</p>	

²⁰ Consider referring students who violate 4-14 for a substance abuse prevention program or counseling.

²¹ Behaviors targeted at sex, gender, sexual orientation, gender identity, or gender expression must be reported to the Office of Student Protections and Title IX.

GROUP 5

MOST SERIOUSLY DISRUPTIVE BEHAVIOR		AVAILABLE INTERVENTIONS AND CONSEQUENCES
*5-1	Aggravated assault – assault ²² with a deadly weapon or done by a person who conceals his/her identity, or any assault against school personnel	<ul style="list-style-type: none"> ◆ Documented Teacher, Student, Parent/Guardian, and Administrator conference focused on expectation violated, cause of behavior, and strategy to prevent recurrence ◆ Recommended instructive, corrective, or restorative response (see <i>Guidelines for Effective Discipline</i>) ◆ Detention – lunch, before school, after school, or Saturday ◆ Request for assignment to an intervention program by the Chief Executive Officer or designee ◆ Skill-building in-school suspension, out-of-school suspension, or combination in-school and out-of-school suspension for up to five days. When the suspension is assigned, create a plan for preventing future behavior incidents, restoring relationships, and addressing student needs. <ul style="list-style-type: none"> ➤ Out-of-school suspensions of three days or less may be used only if the student's continuing presence in school would pose a threat to safety or a disruption to other students' learning opportunities. ➤ Out-of-school suspensions of longer than three days may be used only if other appropriate and available behavioral and disciplinary interventions have been exhausted and the student's continuing
*5-2	Burglary – knowingly and without authority entering or remaining in a building or vehicle with intent to commit a felony or theft therein	
*5-3	Theft (obtaining or exerting unauthorized control over) or possession (physical control over, including in clothing, lockers, or bags) of stolen property that costs more than \$150	
**5-4	Use of intimidation, credible threats of violence, coercion, stalking, or persistent severe bullying and/or dating violence ²³ . Intimidation is behavior that prevents or discourages another student from exercising his/her right to education, or using force against students, school personnel and school visitors, <u>including severe acts of retaliation for reporting non-sexual behavior that includes intimidation, credible threats of violence, coercion, stalking, or persistent severe bullying.</u> For severe bullying, see the Anti-Bullying Policy <i>before</i> assigning an intervention or consequence. ²⁴	
5-5	[this code intentionally left blank]	
*5-6	Gang activity or overt displays of gang affiliation ²⁵	
**5-7	Inappropriate sexual conduct, including unwelcome sexual contact, indecent exposure, and creating and/or transmitting sexually suggestive images and recordings through any device or medium without the permission of persons represented ²⁶	
*5-8	Engaging in or attempting any illegal behavior which interferes with the school's educational process	
*5-9	Persistent or severe acts of sexual harassment – unwelcome sexual or gender-based conduct (either physical, verbal, or electronic), or retaliation against any person for having made a complaint or report of sexual misconduct, which is sufficiently severe, persistent, or pervasive to limit a student's ability to	

* Behaviors marked with a single asterisk indicate that the misconduct is a violation of the law.

** Behaviors marked with two asterisks indicate that the misconduct may be a violation of the law.

²² An assault is an attempt or reasonable threat to inflict injury on someone with a show of force that would cause the victim to expect an immediate battery. An assault may be committed without actually touching, striking or injuring the victim.

²³ Dating violence is defined as violent, controlling, or intimidating behavior that an individual uses against a current or former dating partner. It can include emotional, physical and sexual abuse, stalking, yelling, harassing, threatening, name-calling, threats of suicide, obsessive phone calling or text messaging, extreme jealousy and possessiveness.

²⁴ Behaviors targeted at sex, gender, sexual orientation, gender identity, or gender expression must be reported to the Office of Student Protections and Title IX.

²⁵ A gang is any ongoing organization or group of three or more persons having as one of its primary activities the commission of one or more criminal acts, which has an identifiable name or identifying sign or symbol, and whose members individually or collectively engage in or have engaged in a pattern of criminal activity. Gang activity means any act (e.g., recruitment with use of intimidation, tagging or marking, assault, battery, theft, trespassing, or extortion) performed by a gang member or on behalf of a gang, and intended to further a common criminal objective. An overt display of gang affiliation means any act (e.g., wearing clothing or paraphernalia, displaying gang signs, symbols, and signals) that signifies or exhibits affiliation with a gang. Gang activity and overt displays of gang affiliation can be implied from the character of the acts and the circumstances surrounding the misconduct. Consider referring students who commit 5-6 behaviors to a gang intervention program at a community based organization.

²⁶ Behaviors targeted at sex, gender, sexual orientation, gender identity, or gender expression must be reported to the Office of Student Protections and Title IX.

<p>participate in or benefit from the educational program or which creates a hostile or abusive school environment²⁷</p> <p>*5-10 False activation of a fire alarm which causes a school facility to be evacuated or causes emergency services to be notified</p> <p>5-11 Second or repeated violation of Behavior 4-13, possession of any dangerous object as defined by this SCC</p> <p>*5-12 Battery, or aiding or abetting in the commission of a battery, which results in a physical injury. Battery means unwanted bodily contact with another person without legal justification.²⁸</p> <p>5-13 [this code intentionally left blank]</p> <p>*5-14 Use of any computer, including social networking websites, or use of any information technology device to threaten, stalk, harass, bully or otherwise intimidate others. Or, hacking (intentionally gaining access by illegal means or without authorization) into the CPS network to access student records or other unauthorized information, or to otherwise circumvent the information security system^{29 30}</p> <p>*5-15 Vandalism (willful or malicious destruction or defacing of property) or criminal damage to property that results in damage exceeding \$500 or that is done to personal property belonging to any school personnel</p> <p>5-16 [this code intentionally left blank]</p> <p>5-17 [this code intentionally left blank]</p> <p>5-18 [this code intentionally left blank]</p> <p>*5-19 Participating in a mob action – a large or disorderly group of students using force to cause injury to a person or property, or persisting in severe disruption after being directed to cease by school personnel or Police</p>	<p>presence in school would either (i) pose a threat to the safety of other students, staff, or members of the school community or (ii) substantially disrupt, impede, or interfere with the operation of the school.</p> <ul style="list-style-type: none"> • <u>Out-of-school or in-school suspensions assigned to 5-8 behavior must be approved by the Network Chief or designee. For District schools that do not have Network oversight, approvals must be made by the Office of Network Support.</u> ◆ The principal may request an expulsion hearing at his/her discretion ◆ For behaviors involving the improper use of the CPS network or information technology devices, revocation of network privileges for up to two years
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²⁷ Behaviors targeted at sex, gender, sexual orientation, gender identity, or gender expression must be reported to the Office of Student Protections and Title IX.

²⁸ It is not an act of misconduct to defend oneself as provided by the law.

²⁹ A student may be disciplined for circumventing the information security system regardless of the student's intent. Students may be temporarily suspended from some or all CPS network privileges for improper use of information technology devices when it has been established that the behavior has resulted in an unsafe learning environment or if other students' access to learning has been interrupted. CPS network privileges will be restored as soon as possible once appropriate plans are in place to ensure ongoing safety and access for all students to the greatest extent possible.

³⁰ Behaviors targeted at sex, gender, sexual orientation, gender identity, or gender expression must be reported to the Office of Student Protections and Title IX.

GROUP 6

ILLEGAL AND MOST SERIOUSLY DISRUPTIVE BEHAVIOR	AVAILABLE INTERVENTIONS AND CONSEQUENCES
*6-1 Use, possession, and/or concealment of a firearm ³¹ /destructive device or other weapon ³² or “look-alikes” of weapons as defined in the Reference Guide, or use or intent to use any other object to inflict bodily harm	◆ Documented Teacher, Student, Parent/Guardian, and Administrator conference focused on expectation violated, cause of behavior, and strategy to prevent recurrence
*6-2 Intentionally causing or attempting to cause all or a portion of the CPS network to become inoperable ^{33 34}	◆ Recommended instructive, corrective, or restorative response (see <i>Guidelines for Effective Discipline</i>) ◆ Detention – lunch, before school, after school, or Saturday
*6-3 Arson – knowingly damaging, by means of fire or explosive, a building and/or the personal property of others	◆ Request for assignment to an intervention program by the Chief Executive Officer or designee
*6-4 Bomb threat – false indication that a bomb, or other explosive of any nature, is concealed in a place that would endanger human life if activated	◆ Skill-building in-school suspension, out-of-school suspension, or combination in-school and out-of-school suspension for up to five days. ³⁹ A student may be suspended for up to ten days with written justification submitted for approval in the District student information system. When the suspension is assigned, create a plan for preventing future behavior incidents, restoring relationships, and addressing student needs.
*6-5 Robbery – taking personal property in the possession of another by use of force or by threatening the imminent use of force	➤ Out-of-school suspensions of three days or less may be used only if the student’s continuing presence in school would pose a threat to school safety or a disruption to other students’ learning opportunities.
*6-6 Sale, distribution, or intent to sell or distribute alcohol, illegal drugs, narcotics, controlled substances, “look-alikes” ³⁵ of such substances, contraband ³⁶ , or any other substance used for the purpose of intoxication ³⁷	➤ Out-of-school suspensions longer than three days may be used only if other appropriate and available behavioral and disciplinary interventions have been exhausted and the student’s continuing presence in school would either (i) pose a threat to the safety of other students, staff, or members of the school community or (ii) substantially
*6-7 Sex acts, and attempted sex acts, that occur without the voluntary participation of one or more parties, that may involve the use of implicit or implied force. This is unwelcome oral, anal or vaginal penetration. Sexual violence occurs when a reasonable person knew or should have known that the victim did not or could not engage in the sex act voluntarily ³⁸	
*6-8 Aggravated battery (battery that causes great harm, is done with a deadly weapon, is done by a	

* Behaviors marked with a single asterisk indicate that the misconduct is a violation of the law.

³¹ The term “firearm/destructive device” as defined in 18 U.S.C. Section 921 includes, but is not limited to, handguns, rifles, automatic weapons, bombs, or other incendiary devices and parts thereof.

³² Weapons include any object that is commonly used to inflict bodily harm, and/or an object that is used or intended to be used in a manner that may inflict bodily harm, even though its normal use is not as a weapon.

³³ A network is considered inoperable when it is unable to perform at the level of functionality intended by its maintainers.

³⁴ Students may be temporarily suspended from some or all CPS network privileges for improper use of information technology devices when it has been established that the behavior has resulted in an unsafe learning environment or if other students’ access to learning has been interrupted. CPS network privileges will be restored as soon as possible once appropriate plans are in place to ensure ongoing safety and access for all students to the greatest extent possible.

³⁵ “Look-alike” means any substance which by appearance, representation, or manner of distribution would lead a reasonable person to believe that the substance is an illegal drug or other controlled substance.

³⁶ Contraband means any instrument used to commit a crime or violation, and any other item, when possessing that item violates any applicable law, City ordinance, rule or policy of the Board or any individual school.

³⁷ It may be assumed that a student in possession of large quantities of alcohol, illegal drugs, narcotics, or controlled substances, or in possession of multiple individually-packaged amounts of alcohol, illegal drugs, narcotics or controlled substances, intends to sell or deliver these substances. Consider referring students who violate behavior 6-6 for substance abuse prevention program or counseling.

³⁸ Behaviors targeted at sex, gender, sexual orientation, gender identity, or gender expression must be reported to the Office of Student Protections and Title IX.

³⁹ Principals have discretion to suspend a student for fewer than five days if the student has a disability/impairment, based on the student’s age/grade level, or for other good cause as determined by the principal or designee.

<p>person who conceals his/her identity, or the use of physical force against school personnel) or aiding and abetting in the commission of an aggravated battery</p> <p>*6-9 Murder – killing an individual without legal justification</p> <p>*6-10 Attempted murder – an act that constitutes a substantial step toward intended commission of murder</p> <p>*6-11 Kidnapping – secret confinement of another against his/her will or transportation of another by force or deceit from one place to another with the intent to secretly confine</p> <p>*6-12 Theft (obtaining or exerting unauthorized control over) or possession (physical control over, including in clothing, lockers, or bags) of stolen property that costs more than \$1,000</p>	<p>disrupt, impede, or interfere with the operation of the school.</p> <ul style="list-style-type: none"> ◆ For students in sixth through twelfth grades, or for any student violating section 6-1, automatic referral to Student Adjudication Review ◆ The principal may request an expulsion hearing at his/her discretion ◆ For behaviors involving the improper use of the CPS network or information technology devices, revocation of network privileges indefinitely
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ANTI-BULLYING POLICY

Purpose

The Illinois General Assembly has found that a safe and civil school environment is necessary for students to learn and achieve and that bullying causes physical, psychological, and emotional harm to students and interferes with their ability to learn and participate in school activities. Bullying has been linked to other forms of antisocial behavior, such as vandalism, shoplifting, skipping and dropping out of school, fighting, using drugs and alcohol, sexual harassment, and violence. It is the goal of the Chicago Board of Education ("Board") to create a learning environment in all its school communities where all students feel safe and supported, are protected from bullying, and are able to succeed academically and develop socially and emotionally into responsible, caring individuals.

The Board asks every Chicago Public School ("CPS") student, with the support of his/her parent(s), guardian(s) and the adults at school, to commit to the following principles, which will apply to everyone on school property and at school-related activities:

- I will not bully others.
- I will try to help anyone I suspect is being bullied.
- I will work to include students who are left out.
- If someone is being bullied, I will tell an adult at school and an adult at home.

Scope

Bullying is contrary to Illinois law and this Policy is consistent with the Illinois School Code. This Policy protects CPS students against bullying and harassment on the basis of actual or perceived race or ethnicity, color, religion, sex, national origin or immigration status, ancestry, age, marital status, physical or mental disability, military status, sexual orientation, gender or sex (includes gender identity, gender expression, pregnancy, childbirth, breastfeeding, and pregnancy related medical conditions), genetic information, unfavorable discharge from military service, political belief or affiliation, or on the basis of a person's association with a person or group with one or more of the aforementioned actual or perceived characteristics, or any other distinguishing characteristic. The Board recognizes the particular vulnerability of students with actual or perceived disabilities and those who identify as or are perceived to be lesbian, gay, bisexual or transgender. Nothing in this Policy is intended to infringe upon any expression protected by the First Amendment to the United States Constitution or Section 3 of Article I of the Illinois Constitution.

This Policy is based on the engagement of a range of school stakeholders, including students and parents/guardians. The Board or its designee will re-evaluate this Policy every two (2) years based on an assessment of its outcomes and effectiveness, including, but not limited to, factors such as the frequency of victimization; student, staff and family observations of safety at school; identification of areas of a school where bullying occurs; the types of bullying utilized; and bystander intervention or participation. The information developed will be made available on the District's website.

Bullying and harassment are prohibited:

- (1) during any school-sponsored or school-sanctioned program or activity;
- (2) in school, on school property, on school buses or other Board-provided transportation, and at designated locations for students to wait for buses and other Board-provided transportation ("bus stops");
- (3) through the transmission of information from a CPS computer or computer network, or other electronic school equipment;
- (4) when communicated through any electronic technology or personal electronic device while on school property, on school buses or other Board-provided transportation, at bus stops, and at school-sponsored or school-sanctioned events or activities;
- (5) when it is conveyed that a threat will be carried out in a school setting, including threats made outside school hours with intent to carry them out during any school-related or sponsored program or activity or on Board-provided transportation;
- (6) when it is a Student Code of Conduct ("SCC") Group 5 or 6 behavior that occurs off campus but most seriously disrupts any student's education.

Definitions

“Bullying” means any physical or verbal act or conduct, including communications made in writing or electronically, directed toward a student or students, and meets all of the following criteria:

- (1) An observed or perceived imbalance of power exists between the person(s) engaging in the bullying behavior(s) and the targeted student(s); and/or student(s) were targeted based on prejudice or bias (as defined below).
- (2) The behaviors are severe or pervasive (repeated over time), or there is a high likelihood that behaviors will be repeated. While bullying is often characterized by repeated acts, sometimes a single incident constitutes bullying depending on the severity and if other elements of bullying are present.
- (3) The intent of the person(s) engaging in the behavior is to cause physical or emotional harm to the targeted student(s).
- (4) The behavior has or can be reasonably predicted to have one or more of the following effects:
 - (a) placing the student in reasonable fear of harm to the student's person or property;
 - (b) causing a substantially detrimental effect on the student's physical or mental health;
 - (c) substantially interfering with the student's academic performance; or
 - (d) substantially interfering with the student's ability to participate in or benefit from the services, activities, or privileges provided by a school.

Bullying may take various forms, including without limitation, one or more of the following: harassment, threats, intimidation, stalking, physical violence, sexual harassment, sexual violence, theft, public humiliation, destruction of property, or retaliation for asserting or alleging an act of bullying. This list is meant to be illustrative and non-exhaustive.

“Cyberbullying” means using information and communication technologies to bully. This definition includes cyberbullying by means of technology that is not owned, leased, or used by the school district when an administrator or teacher receives a report that bullying through this means has occurred. This Policy does not require a district or school to staff or monitor any nonschool-related activity, function, or program.

“Retaliation” means any form of intimidation, reprisal including but not limited to the submission of knowingly false bullying allegations, or harassment directed against a student who reports bullying, provides information during an investigation, or witnesses or has reliable information about bullying. Retaliation is prohibited and will result in the imposition of appropriate interventions/consequences according to this Policy and the SCC.

“Peer Conflict” means disagreements and oppositional interactions that are situational, immediate and developmentally appropriate. Conflicts arise when two or more students with relatively similar observed or perceived power have differences in opinion or perspectives. When school employees are aware of peer conflict, they are expected to guide students in developing new skills in social competency, learning personal boundaries and peaceably resolving conflict, and to model appropriate social interactions.

“Prejudice or bias” means motivation for bullying or harassment based in part or in whole by actual or perceived race, color, religion, sex, national origin or immigration status, ancestry, age, marital status, physical or mental disability, military status, sexual orientation, gender-related identity or expression, unfavorable discharge from military service, association with a person or group with one or more of the aforementioned actual or perceived characteristics, or any other distinguishing characteristic.

“Restorative Practices” means a continuum of school-based alternatives to exclusionary discipline that are adapted to the particular needs of the school and community, contribute to maintaining school safety, protect the integrity of a positive and productive learning climate, teach students the personal and interpersonal skills they will need to be successful in school and society, serve to build and restore relationships among students, families, schools, and communities, and reduce the likelihood of future disruption by balancing accountability with an understanding of students' behavioral health needs. Restorative practices are ways of pro-actively developing relationships and community, as well as repairing

community when harm is done. After conflict or harm, Restorative Practices provide a way of thinking about, talking about, and responding to issues and problems by involving all participants to discuss their feelings and opinions, identify what happened, describe how it affected everyone, and find solutions to make things better.

Preventing Bullying

All CPS principals and staff shall work to develop safe, supportive school environments that prevent bullying through:

- **Developing supportive school climate strategies**, including clear expectations and share agreements to guide interactions between students, and between staff and students.
- **Teaching all students social and emotional skills** and establish classroom and school-wide practices that promote relationship-building, including teaching all school stakeholders to speak out when they see or hear bullying, degrading language, and bias or prejudice.
- Establish predictable responses and **effective disciplinary practices** that address root cause, teach skills, build empathy, and repair harm. Ensure all students, staff, and stakeholders know how your school plan to respond to bullying and harassment.

Intervening to Address Bullying

A. Responsibilities of CPS Employees and Contractors

All CPS employees and contractors, including security officers, lunchroom staff and bus drivers, who witness incidents of bullying or school violence or who possess reliable information that would lead a reasonable person to suspect that a person is a target of bullying, must:

- (1) intervene immediately in a manner that is appropriate to the context and ensures the safety of all people involved;
- (2) report the incident of bullying or retaliation to the Principal/Designee as soon as practicable, but within 24 hours, on the CPS Bullying Complaint Form (Attachment A); and
- (3) cooperate fully in any investigation of the incident and in implementing any safety plan established by the Principal/Designee.

B. Responsibilities of Students, Parents and Guardians

No student who witnesses bullying may stand by or participate in the bullying, but must notify an adult at school and an adult at home as quickly as practicable. Any parent or guardian who witnesses or is notified of bullying has an obligation to advise the Principal/Designee as quickly as practicable. Reports can be made to any CPS employee or contractor in person, by completing Attachment A and submitting it to the Principal/Designee, by calling the CPS Parent Support Center at (773) 553-3772, or by emailing BullyingReport@cps.edu. Anonymous reports will be accepted by the Principal/Designee. No disciplinary action will be taken on the sole basis of an anonymous report.

C. Steps for Investigating Bullying Reports

- (1) **Ensure safety.** The Principal or his/her designee will provide immediate support to any targeted student(s) to ensure safety. If there are overt or implied risks of safety, follow the steps in the CPS Crisis Manual, including immediately notifying the CPS Student Safety Center and the school's Network office. Alleged behaviors targeted at sex, gender, sexual orientation, gender identity, or gender expression should be reported immediately to the Office of Student Protections and Title IX for assistance and support: ~~at the OSP Hotline:~~ (773) 535-4400.
- (2) **Notify parents/guardians of all involved students.** Within one school day of receipt of a bullying report, the Principal/Designee shall report to the parent/legal guardian of all involved students, via telephone, personal conference and/or in writing, the occurrence of any alleged incident of bullying, and shall document these notifications in the District student information system.
 - a. Notifications should be made privately to students directly involved and their parent/legal guardians.
 - b. Additionally, when incidents have a larger impact on the school community, the Principal/Designee shall provide clear communication to students, staff and parents to re-inforce school-wide expectations and a climate of respect and inclusion.

- (3) **Document all allegations of bullying.** Within two school days of receiving a report of bullying, the Principal/Designee will document the allegation in the District student information system as a general incident report and document all notifications made.
- (4) **Conduct an investigation.** The Principal and/or a designee, who is knowledgeable about bullying prevention and intervention, shall perform the investigation. For guidance, contact the Law Department at (773)553-1700.

Investigation of reported bullying shall be initiated within 5 school days of receipt of a report, documented within the incident report in the District student information system, and completed within 10 school days, unless the Principal grants in writing an additional 5-day extension due to extenuating circumstances. The Principal/Designee shall document the extension in the investigation report and shall notify the parties involved.

The investigation shall include:

- a. Identifying all involved parties, including the student(s) alleged to have engaged in the bullying behaviors, alleged target(s) and bystander(s), as well as any adult who witnessed the incident or may have reliable information about it.
 - b. Conducting an individual interview in a private setting with all involved parties. The alleged target should never be interviewed in public or with the student(s) alleged to have engaged in bullying.
 - c. Determining how often the conduct occurred, any past incident or continuing pattern of behavior, and the District student information system of the behaviors on the targeted student's education.
 - d. Assessing the individual and school-wide effects of the incident relating to safety.
- (5) **Make a determination whether allegations of bullying are substantiated or not and document determination.** The Principal/Designee shall consider whether the four elements of the bullying definition are met, or if all four elements of bullying are not present, whether the behavior qualifies as another inappropriate behavior listed in the SCC. When the investigation is complete, the Principal/Designee shall ensure the investigation and findings (whether the report of bullying is substantiated or not substantiated) are documented in the District student information system. If the investigation determines a student engaged in bullying behaviors and/or other inappropriate behaviors listed in the SCC, the Principal/Designee shall prepare a Misconduct Report.
 - (6) **Notify all involved parties of the outcome of the investigation.** Within one day of making a determination, the Principal/Designee shall notify, in writing, the parents/legal guardians of all students involved of the outcome of the investigation. Parents/legal guardians of the students who are parties to the investigation may request a personal conference with the Principal/Designee to discuss the investigation, the findings of the investigation, the actions taken to address the reported incident of bullying, and any resources available in or outside the school to help the students address the underlying reasons for the bullying.

When communicating incidents of bullying to the targeted student's parent/guardian, the Principal/Designee should consider whether the student may want to keep certain information confidential. For example, if a student is bullied after coming out as gay, the Principal/Designee shall not disclose the student's sexual orientation to the parent/guardian without the student's permission, unless there is a legitimate, school-related reason for doing so.

If the investigation determines a student engaged in bullying behaviors, the Principal/Designee shall provide the Misconduct Report to the parent/legal guardians of the student who engaged in the behaviors. The Principal/Designee may advise the parent/legal guardian of other involved students that the Student Code of Conduct was followed. S/he may not advise them of specific consequences imposed, as that would violate the confidentiality of school-record information required by law.

D. Determining an Appropriate Response

The goal of the response is to ensure the targeted student feels safe and welcome, and the student engaging in bullying behaviors understands the harm s/he caused and changes his/her behavior. For guidance in determining an appropriate response, contact the Office of Social & Emotional Learning at (773) 553-1830, or see cps.edu/SEL.

- (1) **Identify school risk factors and ensure a universal strategy for school climate improvement and social and emotional development.** Assess and address any issues in supervision, expectations, relationship-building, and emotional learning.
- (2) **Support the targeted student.** Assign school staff to create and implement a plan that will restore a sense of safety for the targeted student and other students who have been impacted. Determine any other interventions that may be appropriate.

If the targeted student has a disability, the school shall convene the IEP Team to determine whether additional or different special education or related services are needed to address the student's individual needs and revise the IEP accordingly. For example, if the student's disability affects social skill development or makes the student vulnerable to bullying, the Principal/Designee shall ask the student's IEP Team to consider whether the IEP should include provisions to reduce vulnerability to bullying.

- (3) **Determine interventions and/or consequences that address the root cause of the students' bullying behaviors.** Consider the nature of the behavior, the developmental age of the student, and the student's history of problem behaviors and performance. Follow the Student Code of Conduct and the *Guidelines for Effective Discipline*, and identify opportunities to teach, build empathy, and repair harm. While suspensions may be necessary in some cases to ensure the safety of the targeted student, keep in mind that suspending or expelling students who bully does not reduce bullying behavior.

If the student who engaged in bullying behavior is a student with a disability, the school shall convene the IEP Team to determine if additional supports and services are needed to address the inappropriate behavior and develop the student's social and emotional skills. The team may also consider examining the environment in which the bullying occurred to determine if changes to the environment are warranted. For example, the IEP Team should consider a behavior intervention plan for the student or review a current behavior intervention plan and revise if necessary. The Principal/Designee shall comply with the Procedural Safeguards for Discipline of Students with Disabilities/Impairments when considering interventions and consequences for students with disabilities.

Contact the Office of Social & Emotional Learning for school-wide climate and skill-building practices that prevent bullying, and the CPS Law Department for more information about the appropriate and legal consequences for student misconduct.

- (4) **For incidents that impact the larger school community, provide opportunities in safe, structured environments for affected students, staff, and/or parents to speak about the incident, its impact, and what is needed to repair the harm.**

E. What Not To Do:

- Solicit an apology from the student who engaged in bullying to the targeted student or mandate a public apology, use peace circles, victim/offender conferences, or any form of mediation that puts the student who engaged in bullying in contact with the targeted student in an immediate attempt to resolve the bullying. Restorative measures may be helpful to repair relationships between the student who engaged in bullying and targeted student, but only if used after other interventions have balanced the power differential between the perpetrator and target.
- Dismiss bullying as typical student behavior or assume it is not serious.

Appeal

Any party who is not satisfied with the outcome of the investigation may appeal to the Office of Student Protections and Title IX, or OSP (telephone: 773 535-4400), within 15 calendar days of notification of the Principal's decision. OSP shall render a final determination in accordance with the timeline and procedures set out in the anti-bullying appeal guidelines established by OSP. OSP may return the incident to the Network Chief, Principal or their designees for further investigation or reconsideration of the consequence(s), direct the imposition of other consequence(s), or deny the appeal. OSP shall notify the party requesting the appeal and the Principal that its decision is final and shall document that notification in the Incident Report in the District student information system.

Consequences for CPS Employees and Contractors

When it is determined that an employee or contractor was aware that bullying was taking place but failed to report it, the employee/contractor will be considered to have violated this Policy. The Principal shall consider employee discipline for such violations, making reference to any applicable collective bargaining agreement. Remedies for offending contractors should be imposed according to their Board contracts.

Notice and Dissemination of Requirements

Principals shall follow the requirements established by the Office of Social & Emotional Learning for posting this Anti-Bullying Policy on the school's website, in the school building as well as disseminating and presenting this Policy to school staff as part of pre-school-year professional development.

Training and Professional Development

Staff

Professional development will be offered to build the skills of all CPS employees, contractors and volunteers to implement this Policy. The content of such professional development shall include, but not be limited to:

- (1) Developmentally appropriate strategies to prevent incidents of bullying and to intervene immediately and effectively to stop them;
- (2) Information about the complex interaction and power differential that can take place between and among a perpetrator, target, and witness to the bullying;
- (3) Research findings on bullying, including information about specific categories of students who have been shown to be particularly at risk, and any specific interventions that may be particularly effective for addressing bias-based bullying; and
- (4) Information about Internet safety issues as they relate to cyberbullying.

Student Internet Safety Education

In accordance with the Board's Internet Safety Policy (<http://policy.cps.edu/download.aspx?ID=261>), each school shall incorporate into the school curriculum a component on Internet safety to be taught at least once each school year to all students. The Chief Officer of Teaching and Learning or designee, shall determine the scope and duration of this unit of instruction and topics covered. At a minimum, the unit of instruction shall address: (a) safety on the Internet; (b) appropriate behavior while online, on social networking Web sites, and in chat rooms; and (c) cyberbullying awareness and response. The age-appropriate unit of instruction may be incorporated into the current courses of study regularly taught. Schools shall satisfy the documentation requirements established by the Chief Officer of Teaching and Learning or designee to ensure compliance with this curricular requirement.

ATTACHMENT A
Chicago Public Schools
Form for Reporting Bullying and Retaliation

NOTE: The reporter may remain anonymous, but no discipline will be imposed based solely upon an anonymous report.

Please submit this report to the principal or any school staff member. You may also call the Parent Support Center (773 553-3772) or email BullyingReport@cps.edu to make a report.

Victim or Target Information

School: _____

Name(s) and grade(s) of Victim/Target:

Reporting Information (*Optional for students/parents/guardians)

Name & Title of Person Reporting: _____

Relationship to Victim/Target: _____

Phone: _____ Email Address: _____

Incident Information

Name(s) of student(s) accused of engaging in bullying behaviors OR description (if name(s) unknown):

Location of incident: _____

Date and time of incident: _____

Approximate dates, times, and frequency of prior incident(s): _____

Describe what happened and who was present in as much detail as possible (*Required Information):

Date of submission: _____

**PROCEDURAL SAFEGUARDS FOR DISCIPLINE OF STUDENTS WITH
DISABILITIES/IMPAIRMENTS⁴⁰**

School officials may suspend students with disabilities/impairments and cease educational services for a total of up to 10 consecutive or 10 cumulative school days in one school year without providing procedural safeguards. Saturday, and before- and after-school detentions do not count toward the 10-day limit. Additionally, if students with disabilities continue to participate in the general education curriculum, continue to receive their IEP services, and continue to participate with non-disabled peers to the same extent as specified in the IEPs, in-school suspensions and lunch detentions do not count toward the 10-day limit. Administrators are not required to suspend students with disabilities for the recommended periods set forth in this Code for a single incident. Specifically, the Principal or his/her designee has discretion to suspend students with disabilities fewer days than set forth for a single incident. Federal regulations offer some flexibility in suspending students with disabilities in excess of 10 school days in the school year in certain circumstances. In order to determine whether the circumstances permit a suspension in excess of 10 days per school year, consultation by the school with the Office of Diverse Learners Supports and Services (773 553-1905) is absolutely necessary. **Without such consultation and approval from the Office of Diverse Learners Supports and Services, the 10 school day limit on out of school suspensions will continue to apply.**

When school officials anticipate a referral for expulsion, including referrals requesting emergency assignment pursuant to the CPS SCC, the following apply:

1. School must provide written notice to the parent/guardian or surrogate parent of the request for an expulsion hearing and the date of an Individualized Education Program (IEP) Manifestation Determination Review (MDR) meeting, which must be held within 10 school days of the date of the decision to request the expulsion hearing. School must also provide parent/guardian/surrogate parent with a written copy of the Notice of Procedural Safeguards.
2. The IEP team must:
 - A. Determine whether the misconduct is related to the student's disability by reviewing all current and relevant information, including evaluation and diagnostic results, information from the parent/guardian, observations of the student, and the student's IEP. The behavior is a manifestation of the student's disability if:
 - 1) the conduct in question was caused by the student's disability or has a direct and substantial relationship to the student's disability; and/or
 - 2) the conduct in question was the direct result of the school's failure to implement the student's IEP.
 - B. Review, and revise if necessary, the student's existing behavior intervention plan or develop a functional behavior assessment and behavior intervention plan (FBA/BIP) to address the misconduct. The behavior intervention plan must address the misconduct for which the student is being disciplined.

If the student's behavior is not a manifestation of the disability, school officials may apply the SCC, taking into consideration the student's special education and disciplinary records. In no event, however, may the student be suspended for more than 10 consecutive or cumulative school days in a school year without providing appropriate educational services.

If the student's behavior is a manifestation of the disability, a disciplinary change in placement (expulsion) cannot occur. Students with disabilities, even if expelled, must be provided with an appropriate education in an alternative educational setting.

All MDRs are subject to legal review by the Department of Procedural Safeguards and Parental Supports.

⁴⁰ All procedural safeguards contained in the SCC and this Appendix are equally applicable to those students with §504 plans.

**REFERENCE GUIDE FOR GROUPS 4, 5 AND 6 BEHAVIORS INVOLVING DANGEROUS OBJECTS,
WEAPONS OR LOOK-ALIKE WEAPONS**

SECTIONS 4-13 AND 5-11

If a student simply has any of these objects in his or her possession, but does not use them, (s)he should be recorded to have violated Section 4-13 of the SCC for a first-time violation or 5-11 of the SCC for a second or repeated violation. *If a student uses, or intends to use, any of these objects to inflict harm on someone, the student should be recorded to have violated Section 6-1.*

Knives, including but not limited to:

- Steak knife or other kitchen knives
- Pen knives/Pocket knives
- Hunting knives
- Swiss Army knife
- Box cutters
- Razors

Tools, including but not limited to:

- Hammers
- Screwdrivers
- Saws
- Crowbars/Metal pipes
- Other objects commonly used for construction or household repair

Other Objects, including but not limited to:

- Mace/Pepper spray
- Live ammunition/Live bullets
- Broken bottles or other pieces of glass
- Wooden sticks/boards

SECTION 6-1

If a student has any of these objects in his or her possession or uses any of these objects, (s)he should be recorded to have violated Section 6-1 of the SCC.

Firearms - these include:

- Pistol
- Revolver
- Other firearms
- Any part or portion of a machine gun or rifle

Knives - these include only the following types of knives:

- Switchblade knives (open automatically by hand pressure applied to a button, spring or other device in the handle of the knife)
- Ballistic knives (operated by a coil spring, elastic material, or an air or gas pump)

Explosive Devices/Gases - these include:

- Tear gas guns
- Projector bombs
- Noxious liquid gas
- Grenades
- Other explosive substances

Other Objects - these include:

- Blackjack
- Slingshot
- Sand club
- Sandbag

- Metal/brass knuckles
- Throwing stars
- Tasers/stun guns

“Look-Alike” Firearms - these include:

- B.B. guns
- Air guns
- Other objects, including “toys” or replicas that reasonably resemble real firearms

6-1 SPECIAL CONSIDERATION

If a student simply has any of these objects, or any other similar object in his/her possession, (s)he should not be recorded to have violated of the SCC. *If a student uses, or intends to use, any of these objects to inflict bodily harm on someone, the student should be recorded to have violated Section 6-1.*

Sporting Equipment - these include but are not limited to:

- Baseball bats
- Golf clubs

Personal Grooming Products - these include but are not limited to:

- Nail clippers/files
- Combs with sharp handles
- Tweezers

School Supplies - these include but are not limited to:

- Scissors
- Laser pointers
- Pens/Pencils
- Rulers
- Padlocks/Combination locks
- Other objects commonly used for educational purposes

EXPULSION HEARING AND EMERGENCY ASSIGNMENT GUIDELINES

Request for Expulsion Hearing

- Expulsion is the removal of a student from school for 11 or more consecutive days, up to a maximum of two calendar years.⁴¹
- If a student's inappropriate behavior falls within Group 5 of the SCC, a school principal *may* request an expulsion hearing for the student. A school principal may also request assignment to an intervention program.
- If a student's inappropriate behavior falls within Group 6 of the SCC, the incident will be automatically referred for Department of Student Adjudication review for a student in 6th through 12th grade or for any student violating section 6-1; a school principal *may* request an expulsion hearing for a student committing any other Group 6 behavior.
- The CEO's designee will review the expulsion hearing request and determine whether to refer the student to the Law Department for an expulsion hearing, assign the student to an intervention program, or refer the student back to the school for intervention/support.

Emergency Assignment to Interim Alternative Education Setting

- Students who commit Groups 5 or 6 misconducts may be assigned to an interim alternative education setting on an emergency basis ("emergency assignment") while a request for an expulsion hearing is pending without being given the opportunity for a hearing before an independent hearing officer.
- Requests for emergency assignment must be approved, facilitated, and implemented by the CEO's designee. The CEO's designee may request additional information when considering requests for emergency assignment.
- General education students may be placed in an interim alternative education setting if their presence at the home school poses a continuing danger to people or property, or an ongoing threat of disruption to the academic process. The student will be assigned to the Safe Schools Alternative Program until the expulsion final determination is issued.
- Students with disabilities may be placed in an interim alternative educational setting for a maximum of 45 school days, even in instances where the student's misconduct is ultimately determined to be a manifestation of his or her disability. Students with disabilities may be referred for emergency assignment when in possession of weapons or drugs, or for inflicting serious bodily injury on another person while on school grounds or at a school-sponsored event. The parent or legal guardian may request a due process hearing to challenge the emergency assignment.

Expulsion Hearing Procedures

- The Law Department will schedule expulsion hearings and send parents/guardians a notice letter. The notice will provide a description of the incident, the date of the incident, the SCC inappropriate behavior code(s), and the place, time and date for the expulsion hearing. The notice will be sent by registered or certified mail, or by personal delivery.
- Before the hearing, school principals are responsible for assisting the Law Department with case preparation by identifying witnesses and relevant documents, and reviewing all documentation regarding the incident to ensure it is complete, accurate, and properly written.
- The hearing will be conducted before an independent hearing officer. The Chief Executive Officer's representatives will call witnesses to testify and introduce documents regarding the incident. The student may also call witnesses to testify and introduce documents regarding the incident.

Expulsion Final Determination

- After the hearing, the hearing officer will make a recommendation for intervention or discipline, up to expulsion for a set term of up to two calendar years.
- The hearing officer's recommendation may be modified on a case-by-case basis by the Chief Executive Officer or designee.

⁴¹ *This definition does not apply to exclusion of a student from school for failure to comply with immunization requirements or temporary emergency placement.*

- If a student is expelled, alternative program placement may be offered for the period of the expulsion.
- The hearing officer may recommend that the student attend an intervention program in lieu of expulsion. A recommendation to intervention is subject to approval by the Chief Executive Officer or designee. A student who is recommended for participation in the intervention program in lieu of expulsion but who fails to successfully complete the program shall be expelled.
- During a term of expulsion, students may not participate in extracurricular activities or school-sponsored events, with the exception of activities or events sponsored by the student's alternative program.

Transition when Expulsion Complete

- When a term of expulsion is completed, the student will be transferred to his/her home school.
- For students attending the Safe Schools Alternative Program, a transition meeting, including the student, parents/guardians, alternative school staff members, and home school staff members, will be scheduled to discuss the student's transition back into the home school environment.

ACKNOWLEDGEMENT OF RECEIPT OF THE STUDENT CODE OF CONDUCT

Chicago Public Schools
Student Code of Conduct

Student Agreement

I, _____ (print student's name) have received and read the Student Code of Conduct ("SCC") for the Chicago Public Schools. I am aware of my rights and responsibilities under the SCC. Furthermore, I understand that inappropriate student behavior will result in interventions and consequences as stated under the SCC.

Student Signature

Date

Parent/Guardian Agreement

Dear Parent or Guardian:

Chicago Public Schools believes that you should be informed regarding our effort to create and maintain a safe and secure learning environment for all students. Please read the SCC and sign the document below to acknowledge your receipt and understanding of the SCC.

I am the parent or guardian of the above named student. I have received and read the SCC. I understand that by signing this document, I agree to support and promote the goals of the SCC and make every effort to work with the school in resolving all disciplinary matters.

Parent/Guardian Signature

Date