

June 22, 2022

**ADOPT ANNUAL REVISIONS TO THE STUDENT CODE OF CONDUCT
EFFECTIVE AUGUST 22, 2022**

THE CHIEF EXECUTIVE OFFICER RECOMMENDS:

That the ChB t Ch- the SCC received an attitude regarding original schools of school behavior i e theAc agar l ä e c ion of the school. Previously, behavior that *may disrupt* the educational process or orderly operation of the school was included in this standard, but is now being removed.

2. Revise Definitions for Bullying: Language in the definitions for bullying behavior with regard to

retaliation and reprisal has been added to the CPS Addressing Bullying and Bias-Based Behavior policy. These revisions are to better clarify that substantiated retaliation behaviors are considered to be bullying and can be disciplined. In addition, language has been added that clarifies that making a false accusation of bullying can be treated as a form of bullying and subject to discipline under the SCC.

3. Add Language to Subsection on School Dress Codes and Uniform Policies: Language in the section of the SCC covering requirements for school-based dress codes has been added to specify that school-based dress codes cannot prohibit hairstyles or head coverings historically associated with race, ethnicity, religion or hair texture.

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STUDENT CODE OF CONDUCT
Effective August 3022, 20212022

- 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

GENERAL REQUIREMENTS

- 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.
 - a) 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.
 - b) 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.
 - c) Follow the special procedures contained in the Procedural Safeguards section for students with

- 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

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 alleged illegal behavior (non-

4. In the event that police must be notified, administrators shall make all reasonable efforts to contact parents/guardians prior to contacting CPD. Efforts to contact parents/guardians must include calling all numbers listed on an emergency form and any number supplied by the student, including leaving voice messages when possible if parents/guardians do not answer. All parent/guardian contact attempts must be recorded in Aspen.
5. The school shall follow the Requirements for Police Interactions listed below for any police interaction with students on school grounds.
6. The school principal or designee will use the SCC to determine the appropriate intervention(s) and/or consequence(s) to address a student's behavior.

Only school administrators and designees should follow these notification procedures. In the event that school staff who are not administrators (or designees) should need to notify the police or file a complaint against a student for an incident that occurred on school property, during school hours, or at a school-related function, staff should inform the school principal to ensure the steps outlined above are completed prior to CPD notification.

In the event that a non-CPS employee (parent, caregiver, community member) should report any allegations of illegal behaviors to school administrators, school administrators shall follow steps outlined in steps 1-3 (non-emergency situations). School administrators shall not file a law enforcement agency complaint at the behest of the non-CPS employee.

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

or may disrupt the educational process. For example, a student

complainant who is protected from that person's acts under the domestic or family violence laws of Illinois.

GROUP 1

INAPPROPRIATE BEHAVIORS	AVAILABLE INTERVENTIONS AND CONSEQUENCES
1-1 Running and/or making excessive noise in the hall or building	
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 L	

GROUP 3

<p>SERIOUSLY DISRUPTIVE BEHAVIORS</p>	<p>AVAILABLE INTERVENTIONS AND CONSEQUENCES (Whenever possible, interventions and consequences that do not exclude the student from their regular educational schedule should be attempted first.)</p>
<p>3-1 Disruptive behavior on the school bus⁶</p> <p>*3-2 Gambling – participating in games of chance or skill for money or things of value</p> <p>3-3 Fighting⁷ – physical contact between two people with intent to harm, but no injuries result</p> <p>3-4 Use of bias-based or discriminatory language, gestures, slurs, or other behaviors involving race, color, national origin, immigration status, sex, gender, sexual orientation, age, religion, gender identity, gender expression, disability or other protected categories. For bias-based behavior, see the Addressing Bullying and Bias-Based Behavior policy <i>before</i> assigning an intervention or consequence.^{8 9}</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</p>	

<p>3-11</p> <p>3-12</p> <p>3-13</p>	<p>harm to property, and/or interfere with student's ability to participate in school or school activities (see Addressing Bullying and Bias-Based Behavior Policy for full definition <i>before</i> assigning an intervention or consequence)¹²</p> <p>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}</p> <p>Inappropriately wearing any JROTC or Military Academy Uniform on or off school grounds</p> <p>Use of the CPS network for a seriously disruptive purpose not otherwise listed in this SCC¹⁵</p>	
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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.

¹³ Students may be temporarily suspended from some or all CPS network privileges for improper use of information technology devices
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, gender expression or other protected categories 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
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.

VERY SERIOUSLY DISRUPTIVE BEHAVIORS **GROUP 4**

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

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 " m h

GROUP 5

MOST SERIOUSLY DISRUPTIVE BEHAVIORS	AVAILABLE INTERVENTIONS AND CONSEQUENCES
*5-1 An attempt or reasonable threat to inflict injury on someone with a show of force that would cause the victim to expect an immediate unwanted bodily contact without permission or legal justification committed with a deadly weapon, by a person who conceals their identity, or against school personnel ²²	
*5-2 Knowingly and without authority entering or remaining in a building or vehicle with intent to commit a 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 discrimination, bias-based behavior, bullying, dating violence, or domestic violence. ²³ Intimidation is behavior that prevents or discourages another student from exercising their right to education, or using force against students, school personnel and school visitors, including severe acts of retaliation for reporting non-sexual behavior that includes intimidation, credible threats of violence, coercion, stalking, or persistent severe discrimination, bias-based behavior, or bullying. For severe bias-base	

persistent to limit a student's ability to participate in or benefit

GROUP 6

ILLEGAL AND MOST SERIOUSLY DISRUPTIVE BEHAVIORS	AVAILABLE INTERVENTIONS AND CONSEQUENCES
*6-1 Use, possession, and/or concealment of a firearm ³¹ /destructive device or other weapon ³² or	

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 or bias-based behaviors occurs; the types of bullying or bias-based behaviors utilized; and bystander intervention or participation. The information developed will be made available on the District's website.

Bullying and bias-based behaviors are prohibited and are considered a violation of the CPS Student Code of Conduct and subject to discipline:

- (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

"Bias-Based Behavior" is any physical, verbal, nonverbal, or other act or conduct, including communications made in writing or electronically, directed toward a member

subject to discipline under the Student Code of Conduct. 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 non-school-related activity, function, or program.

“Discrimination” is treating an individual less favorably because of their actual or perceived membership in one or more of the Protected Categories.

“Harassment” is any unwelcome verbal, nonverbal, visual, or physical conduct that is based on an individual’s actual or perceived membership in one or more of the Protected Categories, as defined in the Final New Comprehensive Non-discrimination, Harassment, Sexual Harassment, Sexual Misconduct And Retaliation Policy, that is persistent, pervasive, or severe and objectively offensive and unreasonably interferes with, limits, or denies an individual’s educational or employment access, benefits, or opportunities. Unwelcome conduct may include, but is not limited to, bullying, intimidation, offensive jokes, slurs, epithets or name calling, assaults or threats, touching, ridicule or mockery, insults or put-downs, offensive objects or pictures, messages sent via email, text or social media, sexual advances, requests for sexual favors, conduct of a sexual nature, or any other sex-based conduct.

“Microaggressions” are the everyday verbal, nonverbal, and environmental slights, snubs, or insults, whether intentional or unintentional, which communicate hostile, derogatory, or negative messages to target persons based solely upon their actual or perceived Protected Category membership such as race, sexual orientation, and gender identity (Adapted from Wing Sue, Derald. "Racial Microaggressions in Everyday Life," 2010).

“Protected Categories” are an individual’s actual or perceived sexual orientation, gender or sex (includes gender identity, gender expression, pregnancy, childbirth, breastfeeding, and pregnancy related medical conditions), race or ethnicity, ethnic group identification, ancestry, nationality, national origin, religion, color, mental or physical disability, age (40 and above), immigration status, marital status, registered domestic partner status, genetic information, political belief or affiliation (not union related), military status, unfavorable discharge from military service, or on the basis of a person’s association with a person or group with one or more of these actual or perceived characteristics, or any other basis protected by federal, state or local law, ordinance, or regulation.

“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 h r

In Person or By Mail: Submit complaints directly to OSP in person or via USPS mail to 110 N. Paulina St., Chicago, 60612.

Steps for Investigating Biased-Based Behavior

Please note that it is important to follow these steps as well as to refer to OSP's Transforming Bias-Based Harm Protocols, which include the comprehensive overview of CPS' District Response to Bias-Based Behavior as well as a school-based staff document link at cps.edu/osp.

- (1) Establish the present safety of everyone involved as well as plan for continued safety in the process.
- (2) Notify parents/guardians of all involved students.
 - . Within one school day of receipt of a report of bias-based behavior, the Principal or Principal Designee shall report to the parent/legal guardian of all involved students the occurrence of any alleged incident of bias-based behavior and follow the guidelines provided in OSP's Transforming Bias-Based Harm Protocols and shall document these notifications in the District student information system.
 - i. Notifications should be made privately to students directly involved and their parent guardians.
 - ii. When incidents have a larger impact on the school community, the Principal or Principal Designee shall provide clear communication to students, staff, and parents to reinforce school-wide expectations of a climate centering belonging, respect, and affirmation of cultural difference.
- (2) Document all allegations of bias-based behaviors
 - a. School based staff who witness or become aware of must report any and all instances of bias based behaviors to the principal who must complete an Aspen Report and answer in the affirmative the question related to bias-based and discriminatory behavior within one school day
 - b. Staff unable to access Aspen or for any questions or assistance, may contact OSP at 773-535-4400 or civilrights@cps.edu.
- (3) Conduct an investigation as directed by OSP.
 - a. After OSP is notified of biased-based behavior through an ASPEN or a direct report OSP will review the report, determine if it will be accepted as an investigation, and if applicable the type of investigation as well as provide guidance for student support:
 - i. OSP Investigation: For severe, complex, or pervasive incidents/civil rights issues an OSP investigator will be assigned to investigate the incident. An OSP

- b. Supportive Measures: In all incidents, the District will coordinate with schools to provide the parties with supportive measures which are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably a

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

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- (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 perform

Principals shall follow the requirements established by the Office of Social & Emotional Learning for posting this 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 bias-based and discriminatory behavior and to intervene immediately and effect

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 their 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**

Metal/brass knuckles
Throwing stars
Tasers/stun guns

“Look-Alike” Firearms - these include:

B.B. guns
Air guns

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

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

