

GROUP 5 - INAPPROPRIATE BEHAVIORS

These acts of misconduct include those student behaviors that *most seriously disrupt* the orderly educational process in the Chicago Public Schools, such as the following:

- *5-1 Aggravated assault
- *5-2 Burglary
- *5-3 Theft or possession of stolen property exceeding \$150 in value
- **5-4 Use of intimidation, credible threats of violence, coercion, or persistent severe bullying
- 5-5 Gross disobedience to the authority of school personnel, including incidents of persistent defiance towards multiple school personnel
- *5-6 Gang activity or overt displays of gang affiliation
- **5-7 Inappropriate sexual conduct
- *5-8 Engaging in any other illegal behavior which interferes with the school's educational process¹⁴
- *5-9 Persistent or severe acts of sexual harassment
- *5-10 False activation of a fire alarm which causes a school facility to be evacuated or causes emergency services to be notified
- 5-11 Second or repeated violation of Inappropriate Behavior 4-13 possession of any dangerous object for purposes of this Code¹⁵
- *5-12 Battery, or aiding or abetting in the commission of a battery, which results in a physical injury
- **5-13 Initiating or participating in any inappropriate minor physical contact with school personnel¹⁶
- *5-14 Use of any computer, including social networking websites, or use of any information technology device, or hacking into the CPS Network to threaten, stalk, harass, bully or otherwise intimidate others, to access student records or other unauthorized information, and/or to otherwise cause a security hazard
- *5-15 Vandalism or criminal damage to property that results in damage exceeding \$500 or that is done to personal property belonging to any school personnel
- 5-16 Inappropriate consensual sexual activity
- *5-17 Use or possession of illegal drugs, narcotics, controlled substances, "look-alikes" of such substances, or contraband, or use of any other substance for the purpose of intoxication in school or at a school related function or before school or before a school related function¹⁷

**5-18 Second or repeated violation of Inappropriate Behavior 4-14, use or possession of alcohol in school or at a school related function or before school or before a school related function

*5-19 Participating in a mob action

INTERVENTIONS AND CONSEQUENCES

For violations of Group 5 Inappropriate Behaviors, a student shall be suspended for five to ten days, and may be referred for expulsion and/or disciplinary reassignment. For offenses involving the improper use of the CPS Network or Information Technology Devices, network privileges may be revoked for up to two years, in addition to other disciplinary actions available.

For Group 5 Inappropriate Behaviors for which a student in the sixth grade or above is referred for expulsion, the student may be recommended by an expulsion hearing officer to attend the Board-sponsored SMART program in lieu of expulsion if he or she has no prior Group 5 or Group 6 violations and/or has not engaged in behaviors which involve violence or the threat of violence within the previous nine months. Such recommendations are subject to approval of the Chief Executive Officer. A student who is recommended for participation in the SMART program in lieu of expulsion but who fails to successfully complete the program shall be expelled. If a student is expelled, Alternative Safe School Placement may be recommended for the period of the expulsion.

Following a period of suspension or expulsion, balanced and restorative justice practices may be used to help reintegrate a student back into the school community. For Group 5 Inappropriate Behaviors, balanced and restorative justice practices may only be used in addition to, not in place of, the five to ten day suspension and discretionary referral for expulsion.

* Inappropriate Behaviors marked with a single asterisk indicate that the school must notify the police of the incident.

** Inappropriate Behaviors marked with two asterisks indicate that the school may use its discretion in notifying police about the incident. Police notification is not required for these Inappropriate Behaviors.

¹⁴ Any attempt at an illegal behavior is an illegal behavior itself, and so is included as punishable under this Code.

¹⁵ First-time violations of Inappropriate Behavior 5-11 by a student in the fifth grade and below will result in a maximum of ten days suspension at the school level, and the student will not be referred for an expulsion hearing.

¹⁶ An example of behavior that would constitute a 5-13 violation is a student pushing school personnel out of the way in order to physically fight with another student.

¹⁷ A student may be referred for expulsion for a first-time violation of Inappropriate Behavior 5-17. It can be assumed that students in possession of large quantities of illegal drugs, narcotics, or controlled substances are engaging in the sale of these substances, which is a violation of Inappropriate Behavior 6-6 and must be referred for expulsion.