

Schools are also encouraged to establish a team to assist school officials with the development of local school regulations, provided those regulations do not conflict with the SCC. A positive and safe school climate significantly contributes to student academic achievement. The Board strongly encourages schools to establish measures designed to foster incident avoidance. Where possible, schools should explore the use of prevention strategies aimed at minimizing the number of incidents requiring student discipline.

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## **PURPOSE AND GOALS**

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Through the establishment of the SCC, the Board seeks to: (1) create a consistent set of expectations for student behavior for the Chicago Public Schools system and all students; (2) outline the interventions and consequences for students who engage in inappropriate behavior; and (3) reinforce positive behavior and provide students with opportunities to develop appropriate behavioral skills.

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## **SCOPE OF THE STUDENT CODE OF CONDUCT**

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The SCC is not intended to address the entire spectrum of student misbehavior that may occur at school or on school property. Instead, the SCC outlines a range of appropriate responses for certain inappropriate behaviors. Local school officials retain the discretion to address student misconduct that is not specifically included in the SCC. However, poor academic achievement is not considered an act of misconduct. Therefore, the SCC may not be used to discipline students for poor academic progress or failure to complete assignments. Similarly, students must not be disciplined based totally or in part on the refusal of a student's parent or guardian to administer or consent to the administration of medication to the student.

The SCC applies to all students. However, discipline for students with disabilities must be administered in accordance with the procedures set forth in Appendix E.

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The SCC applies to actions of students during school hours, before and after school, while on school property, while traveling on vehicles funded by the Board, at all school-sponsored events, and while using the CPS Network or any computer, Information Technology Device, or social networking website, when the actions affect the mission or operation of the Chicago Public Schools. Students may also be subject to discipline for Group 5 or 6 Inappropriate Behaviors that occur either off campus or during non-school hours, including actions that involve the use of any computer, Information Technology Device or social networking website, when the misconduct disrupts or may disrupt the orderly educational process in the Chicago Public Schools.

Students who are suspended or expelled from school may not participate in extracurricular activities or school-sponsored events during the period of the suspension or expulsion. However, students on suspension during the administration of state assessments shall be provided an opportunity to enter the school for the purpose of taking the test and may be allowed to participate in related test preparation activities, upon approval by the Chief Area Officer. Students are subject to the requirements and obligations set out in the Policy on Student Acceptable Use of the CPS Network (<http://policy.cps.k12.il.us/documents/604.2.pdf>). For violations of the SCC that involve improper use of Information Technology Devices, the student may be subject to discipline pursuant to the SCC, in addition to having his/her network privileges suspended.

The SCC provides a variety of interventions and consequences to address student misconduct that range from the least severe to expulsion. Before any intervention or consequence is issued, school officials shall consider all mitigating circumstances and shall ensure that the student receives due process. Mitigating circumstances include, but are not limited to, the following factors:

- the student's age, health, maturity, and academic placement;
- the student's prior conduct and record of behavior;
- the student's attitude;
- the level of parent/guardian cooperation and/or involvement;
- the student's willingness to make restitution;
- the seriousness of the offense; and
- the student's willingness to enroll in a student assistance program.

Moreover, the following require special application of the SCC:

### **Age Appropriate Discipline**

The Board recognizes that students of different grades and ages are at different developmental levels, thus their behavior will be different and may call for different responses. In determining the appropriate level of interventions and consequences, in addition to mitigating circumstances, school officials should consider the grade level and age of the student. This approach may result in a less severe intervention and consequence for a lower grade or younger student as compared to a higher grade or older student.

The SCC does not apply to students attending pre-kindergarten and kindergarten and strict application of the Code to pre-kindergarten and kindergarten students is prohibited. School officials may refer to the SCC as a guide and may exercise discretion to issue appropriate interventions and consequences for students in pre-kindergarten or kindergarten who engage in inappropriate behavior. However, any decision to suspend, expel or reassign a pre-kindergarten or kindergarten student must be reviewed and approved by the appropriate Chief Area Officer.

### **Balanced and Restorative Justice and the SCC**

The Code also reflects alternative approaches to classroom management and student discipline. Specifically, the Board recognizes and embraces the philosophy of restorative justice. Restorative justice principles involve those who have a stake in a specific offense in collectively identifying and addressing the harm done and the needs and obligations of all involved in order to heal and correct the situation as fully as possible. The Board encourages principals and administrators to adopt and implement restorative justice philosophies and practices as additional tools to address student misconduct. When restorative justice practices are available and adequate and when all parties voluntarily embrace and participate in restorative justice practices, these practices should be utilized as outlined in the SCC. For a list of examples of restorative practices please see Appendix G in the Appendix of this policy.

## **Student Uniforms and Dress Code Policies**

Schools are allowed to institute a uniform policy that requires students to wear a specific uniform. Except as provided below in the section on Discipline in Military Academies and JROTC Programs, students who fail to abide by a school's uniform policy may not be given in-school or out-of-school suspension or detention or otherwise be barred from attending class. However, students who fail to adhere to such policies may be subject to the loss of extracurricular activities.

Schools may also institute dress code policies that do not require students to wear a specific uniform, but that prohibit students from wearing certain items or particular styles of attire and/or accessories. A dress code violation may be considered an inappropriate behavior under the SCC. Dress codes are often designed to address gang-related activities or to prevent serious disruption to the orderly educational process of the school. Students who wear clothing or accessories that display affiliation with gangs or other criminally motivated organizations or students who dress in a manner that causes serious disruption to the orderly educational process may be subject to discipline in accordance with the terms of the Code.

## **Discipline in Military Academies and JROTC Programs**

In addition to the standards of conduct and intervention or consequences described in this Code, 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. Students enrolled in a military academy who repeatedly engage in acts of gross misconduct or insubordination, 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.

### **Discipline in Charter, Contract and Performance Schools**

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Pursuant to the Charter Schools Law, Illinois School Law, 105 ILCS 5/27A, all Charter schools are exempt from local school board policies, including the Student Code of Conduct. Charter schools are free to adopt the SCC or to establish their own discipline policies.

Charter schools are not exempt from IDEA or from federal and state regulations as they pertain to discipline of students with disabilities. If a Charter school establishes their own discipline policies, they must incorporate language, and comply with the guidelines for suspension and expulsion of students with disabilities outlined in Appendix E of the SCC. Charter schools must also comply with policies and procedures established by the Office of Specialized Services for the discipline of students with disabilities.

Contract and Performance Schools are Chicago Public Schools and must follow the SCC.

### **Anti-Bullying Statement**

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Students are expected to act with consideration and respect for other students, staff and their property. School personnel are responsible for creating a safe, civil and respectful learning environment where students can gain the knowledge and interpersonal skills they need to succeed. Bullying creates a climate of fear and hostility, disrupts the educational process, inhibits the ability to learn, adversely affects student participation in educational programs and activities, has a negative effect on a school's social environment and leads to antisocial behavior.

Bullying behaviors may focus on an actual or perceived characteristic such as race, disability, religion, national origin, sexual orientation or gender identity/expression (lesbian, gay, bisexual or transgender (LGBT) students), or other reasons related to a student's distinguishing characteristic. Bullying may also occur with the intent to force gang involvement. The Chicago Public Schools prohibits any and all forms of bullying by students and will not tolerate acts of retaliation for making a report of bullying.

School staff shall identify and stop bullying behavior and refer perpetrators for appropriate discipline in accordance with this Student Code of Conduct.

### **Dating Violence Statement**

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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 includes violent and controlling behavior such as threats, name-calling, threats of suicide, physical or sexual abuse and stalking. School staff shall promptly and reasonably investigate allegations of dating violence and issue appropriate discipline based on their findings. 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.k12.il.us/documents/704.4.pdf>).

### **Discrimination, Sexual Harassment, Retaliation Statement**

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A student, or a parent/guardian on the student's behalf, who believes they have been subject to discrimination, sexual harassment or retaliation based upon race, color, national origin, sex, gender identity/expression, sexual orientation, religion or disability, should notify the Principal, Assistant Principal or the Board's Equal Opportunity Compliance Office ("EOCO"), 125 S. Clark St., 11th floor, Chicago, IL 60603, telephone: 773-553-1013. If after making a report, a student, parent or guardian is not satisfied with the action taken or decision made by the Principal or Assistant Principal, they may appeal to the EOCO.