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# OVERVIEW OF THE STUDENT DISCIPLINE PROCESS

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## **Step 1: School Officials Investigate**

- The local school official in charge of discipline should talk to all students, teachers, school personnel and other witnesses to the incident.
- The local school official in charge of discipline must make every reasonable effort to notify the parent/guardian of a student who has been injured as a result of an act of misconduct.
- The investigation may necessitate a search of the student, his/her locker, desk or personal belongings. A search should be conducted only if necessary and any search that is conducted shall be performed in compliance with the Board's Search and Seizure Policy (<http://policy.cps.k12.il.us/documents/409.3.pdf>).

## **Step 2: School Affords Student Due Process**

- The school official should assess the information gathered through the investigation, determine whether the student's behavior falls within the scope of the SCC, identify the student's misconduct among the list of inappropriate behaviors and determine whether the student's behavior should be addressed by the SCC.
- If the SCC applies, the school official should inform the student of the allegation(s) being made and the range of sanctions the student faces. The student must be afforded an opportunity to respond to the charges, and the school official should make a reasonable effort to contact the parent/guardian to alert him/her to what is happening before any sanction is enacted. No disciplinary action may be taken against a student before the student has been afforded the opportunity to respond to the allegations.
- If necessary, and only after a reasonable effort has been made to contact the student's parent/guardian, the Chicago Police Department should be notified.

- School officials should inform the student and parent(s)/guardian(s) that the student has the right to appeal the disciplinary decision.

### **Step 3: Fill Out the Necessary Paperwork**

- The school official must complete an official CPS Misconduct Report for ALL inappropriate behaviors under the SCC (Groups 1-6). See Appendix A for sample Misconduct Report.
- The school official must also send a copy of the Misconduct Report home to the parent/guardian.

### **Step 4: Discipline According to the SCC**

- Any disciplinary action taken against a student must conform to the interventions or consequences outlined in the SCC.
- Suspensions may not exceed 10 days for one incident for any reason. In-school suspensions may not exceed five days for one incident.
- Students may not attend school-sponsored events and are not allowed on school grounds during the term of suspension. They must be allowed to return for statewide assessment testing periods unless the student is available to take the tests during a scheduled make-up testing period.
- Students must be assigned homework during in-school or out-of-school suspension and must be given the opportunity to make up any statewide tests, final exams and in-class tests or quizzes given during the period of suspension.

### **Step 5: Expulsion or Alternative Placement/Reassignment Hearings (For Groups 5 and 6 ONLY)**

- If a student's misconduct falls within the Group 5 SCC Category, a school principal retains the discretion to refer a student for expulsion or alternative placement/reassignment, but any decision to do so must be approved by the Chief Area Officer or designee.
- If a student's misconduct falls within the Group 6 SCC Category, a student must be referred for expulsion and a hearing must be held prior to a student's expulsion, assignment to SMART or issuance of any other sanction that results in a student's alternative placement or reassignment.

- For additional information about Expulsion or Alternative Placement/Reassignment Hearings, see Appendix B, Expulsion Hearing and Emergency Alternative Placement Guidelines.

## **Step 6: Appeals**

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- If a student, parent or guardian feels that the intervention or consequence taken is unwarranted or excessive, he or she has the right to ask the principal to review the matter and to reconsider the decision.
- In the event that a parent or guardian wishes to appeal a principal's decision to suspend a student or refer a student for expulsion, he or she must appeal in writing to the Chief Area Officer or designee. When considering disciplinary appeals, the Chief Area Officer or designee must ensure that there were no factual errors in the principal's decision to suspend the student; the student was charged with the appropriate Act of Misconduct; and the length of the suspension was commensurate with the student's misconduct.
- Any appeal of the final determination of a student's expulsion must be made in writing and sent, along with any additional evidence not available at the time of expulsion, to the Chief Executive Officer or designee. The Chief Executive Officer or designee's decision regarding the appeal shall be final.
- The term of a student's suspension or expulsion is not halted by an appeal to the Chief Area Officer, and/or the Chief Executive Officer.