

requirements and guidelines

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.

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) 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) 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.
- 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 in alignment with the SCC.

- c) Follow the special procedures contained in the Procedural Safeguards section for students with disabilities and students with Section 504 Plans.
- d) 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 9.**
- e) 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.
- f) 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.
- g) School staff members must not use public disciplinary techniques and must respond to inappropriate student behavior as confidentially as possible.
- h) 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.

- a) The parents/guardians have the right to ask the principal to review the consequence assigned and to reconsider the decision.
- b) 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 7), 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.

- c) 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 or designee. The decision of the CEo 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 to, 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. 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.

Possible Violations of Criminal Law

***Consider factors above prior to notifying CPD**

- 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)
- 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)
- Use of intimidation, credible threats of violence, coercion, or persistent severe bullying (5-4)
- Inappropriate sexual conduct (5-7)

² See Reference Guide for definition.



Violations of Criminal Law

*Consider factors above prior to notifying CPD

- 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)