

# Student Rights & Responsibilities



2021-22



# Chicago Public Schools

## Student Bill of Rights

### PREAMBLE

Every student has *rights*. A *right* is a freedom or protection that a person has. Rights define what is allowed of a person or owed to a person.

Your rights *are part of you* regardless of your age, race, creed, color, gender, gender identity, gender expression, religion, national origin, citizenship/immigration status, weight, sexual orientation, physical and/or emotional condition, disability, marital status, or political beliefs. Your rights *belong to you* and cannot be threatened or taken away.

The Chicago Public Schools (CPS) *Student Bill of Rights* (SBOR) is a living document that spells out the rights that every student has and that everyone, including students themselves, should respect. This document can evolve with student sentiment, policy and societal change. This can happen by talking about the SBOR, by putting it into everyday action, and through amendments over time by students, families, communities, teachers, and administrators.

The purpose of the SBOR is to clarify, protect, promote, and inform students of their basic rights. Sharing the SBOR is an expression of the dignity and value of all students. Many people were involved in creating the CPS SBOR including staff from various CPS departments and even students like you.

The rights listed in the document come from many sources: existing local, state, and federal laws, including, Chicago Board of Education policies and examples of SBORs from other school districts. The CPS SBOR is also inspired by the [Universal Declaration of Human Rights](#) which expresses the basic freedoms owed to all human beings. More information about the source of these rights can be found by clicking the blue [hyperlinks](#), or following the sources at the end of the document.

CPS exists to provide free, accessible, high-quality public education. Protection and promotion of student rights are fundamental to safe and supportive school environments where education happens. These conditions are essential to student health and well-being and the key to learning.

*Student rights are human rights.*

*Every student has a right to:*

## 1. FREE PUBLIC EDUCATION

- 1.1 A free public education that is complete and focused on the “whole child” so all students feel healthy, safe, engaged, supported, and challenged. This education must also meet federal standards, like the Every Student Succeeds Act.<sup>4</sup>
- 1.2 High-quality, rigorous curriculum that prepares students for success in college, career, and civic life, and inspires students to think critically and contribute high-quality work.
  - 1.2a This curriculum should address academic and social-emotional learning opportunities for all students, including diverse learners, English learners, and advanced learners.<sup>2</sup>
- 1.3 A written copy of the CPS Student Code of Conduct.<sup>2</sup>
- 1.4 Information about graduation requirements and electives, including courses, examinations, grading rules, and information on assistance to meet requirements.<sup>2</sup>
- 1.5 Information about how to enroll in special programs or courses such as Career and Technical Education (CTE) programs; and honors, AP, and IB courses.
- 1.6 Instruction from teachers that have been trained to deliver and explain rigorous content appropriate for the grade level and subject.<sup>2</sup>
- 1.7 Regular updates, formal and informal, about their learning progress and promotion.<sup>2</sup>
- 1.8 Regular access to a school counselor in order to get confidential personal, social, educational, behavioral, and career advice and resources.<sup>1,2,3</sup>
  - 1.8a CPS counselors are “mandated reporters.” This means that if a student under the age of 18 discloses information indicating that they are being abused, may be in harm, or are/may be planning to harm themselves, the counselor must notify the student’s parent/guardian and/or proper authorities.<sup>10,11</sup>
- 1.9 Expect involvement in decision-making about how schools work by participating in the Local School Council (LSC), Student Advisory Council (SAC), Student Voice Committee, student council, or other school/community-based organization.<sup>3</sup>
- 1.10 Special protections for diverse learners such as, students who have or are in the process of obtaining an Individualized Education Program (IEP). This is covered by a federal law called the Individuals with Disabilities Act (IDEA).<sup>2</sup>

## 2. SPEAK, ADVOCATE, ORGANIZE AND PARTICIPATE

- 2.1 Freedom to meet and communicate with others peacefully; to speak freely, share ideas and opinions, and protest in ways that neither violate

the dignity of others nor interfere with school programs or rules<sup>1, 3, 13</sup>;  
This may happen through social media as well as physical or electronic/  
digital circulation of information such as newspapers, literature, leaflets,  
or petitions on school property and in accordance with school cell phone  
policy.

- 2.2** Advocate for yourself, your peers, your school, and your community. This includes, but is not limited to: making recommendations for courses, clubs, and activities that will enrich your school community; engaging in civic discourse about topics and issues that impact your community; informing or evaluating school policy; having access to the information you need in order to improve the health and wellness of your school.
- 2.3** Serve on or participate in meetings held by Student Voice Committees, Student Government, Student Advisory Councils, Local School Councils as well as other activities, clubs, and organizations including social and educational clubs; political, religious, and philosophical groups; or teams available at their school without discrimination.<sup>2, 3</sup>
- 2.4** Wear what they choose within school-based uniform guidelines. Depending on the school's dress code, this includes accessories with political or religious messages that are not disruptive, unsafe, Bias-based/discriminatory, or blatantly offensive to others.<sup>2</sup>

### 3. HEALTH, NUTRITION, AND PERSONAL CARE

- 3.1** Access to health care and protection from preventable illnesses;<sup>1</sup>
  - 3.1a** In Illinois, children age 12 and over can give their own permission (consent) to receive specific health services (including sexual health services and mental health care). This means a parent or guardian does not have to be notified in order for a student to get this care. Also, for students who have public health insurance (called Medicaid), no bill/explanation of the care can be sent to the parent or guardian.<sup>4</sup>
  - 3.1b** Healthcare providers in Illinois are "mandated reporters". This means that if a student under the age of 18 discloses information indicating that they are being abused, may be in harm or are planning to harm themselves, the provider must notify the student's parent/guardian and/or proper authorities.<sup>10, 11</sup>
  - 3.1c** In Illinois, ALL victims of sexual assault/abuse can receive sexual/mental health services related to the assault for free regardless of status.<sup>15</sup>
- 3.2** Access to free menstrual hygiene products in all high school bathrooms and elementary/middle school bathrooms for students in grades 6-12. This is covered by a state law called the Learn with Dignity Act.<sup>1</sup> This program is still being introduced in some elementary/middle schools.
- 3.3** Information about school-based screening and exams for health (medical, dental, hearing, vision), thinking and learning, and language issues. This information should be delivered promptly and in ways that families can understand.<sup>1, 2</sup>

- 3.4** Access to available school-based health centers and mobile care providers (“health vans”) if parents give permission (consent).
- 3.5** Access to high-quality, medically accurate, and age/developmental stage appropriate Comprehensive Sexual Health Education in grades K-12. Students should receive 300 minutes per year of instruction on these topics in grades K-4, and 675 minutes per year in grades 5-12.
  - 3.5a** In order to stay safe and healthy, students must understand their bodies and boundaries. This is in line with both the CPS Policy Manual and Erin’s Law.<sup>8</sup>
- 3.6** Be provided free, healthy school meals that meet local, state, and federal nutrition requirements; This is in keeping with the USDA Community Eligibility Provision.<sup>5</sup>

#### 4. FAIR CONSEQUENCES

- 4.1** Use of restorative practices wherever applicable in assigned discipline pursuant to Student Code of Conduct discipline guidelines. Restorative practices are, a system that focuses on ways to repair any harm that happens as a result of a conflict, and provides pathways to address healing within a community.<sup>1</sup>This is in keeping with state law Public Act 99-0456.<sup>4</sup>
- 4.2** Receive help after suspension, and to make up work missed because of a suspension.<sup>14</sup> This is also in keeping with state law Public Act 99-0456.<sup>4</sup>
- 4.3** Be informed of reported misbehavior with both a verbal and written notification at the time of being disciplined and be provided with an opportunity to respond.<sup>4</sup>
- 4.4** A clear understanding that punishment cannot be cruel or humiliating, and to know how and why any punishment is being used.<sup>1,14</sup>
- 4.5** Be provided information about how to appeal (ask for reconsideration of) any school decision about punishment before an incident occurs.<sup>2,14</sup>
- 4.6** Freedom from physical (corporal) punishment, verbal abuse, unfair searches (meaning without cause or reason), or any unusual form of punishment. District employees should not inflict any type of corporal punishment on any student.<sup>2,3,14</sup>
- 4.7** Be informed of their rights in any case of police interactions or involvement in school, including:<sup>14</sup>
  - 4.7a** All efforts by school staff to notify a parent/guardian in the event of a notification of law enforcement and the presence of a parent/guardian or school clinician during any interaction with a law enforcement officer. This is in keeping with Public Act 101-0478.
  - 4.7b** Remain silent in any conversation with a law enforcement officer.
  - 4.7c** Refuse to give consent to be searched by the police, including electronic devices (this may not stop the search.)
  - 4.7d** Students shall not be removed from the classroom or common

areas of the school by CPD unless an emergency, as defined in the Student Code of Conduct policy, exists.

- 4.7e** Receive trauma-responsive de-escalation strategies and restorative, behavioral health supports and interventions by school staff in all cases where law enforcement may become involved. This is in keeping with Public Act 101-0478.

## 5. SAFE, SECURE, AND SUPPORTIVE SCHOOL ENVIRONMENT

- 5.1** Be treated with courtesy and respect by all district staff regardless of actual or perceived age, race, creed, color, gender, gender identity, gender expression, religion, national origin, citizenship/immigration status, weight, sexual orientation, physical and/or emotional condition, disability, marital status, or political beliefs.<sup>1,2</sup>
  - 5.1a** Students may file a report if they feel they are being discriminated against at their school, with the school and network administration, CPS Office of Student Protections and Title IX (OSP), or with the U.S. Department of Education, Office for Civil Rights.<sup>4</sup>
  - 5.1b** *If a student is being sexually harassed or targeted because of their actual or perceived membership in one or more protected categories pursuant to the Comprehensive Non-Discrimination Policy the student may file a report with OSP online at [www.cps.edu/osp](http://www.cps.edu/osp) or by calling 773-535-4400. If it is an emergency, call 911. CPS employees must take additional steps to report signs of student abuse including calling the Illinois Department of Children and Family Services and the Office of Inspector General.*<sup>12</sup>
- 5.2** Feel mentally and physically safe and secure in school, and to report any incident that makes them feel unsafe or insecure, including sexual assault, inappropriate remarks, grooming, groping, inappropriate behavior, verbal assault, bullying, or any other type of harassment.<sup>1,2,3</sup>
  - 5.2a** Students also have the right to receive regular updates about actions taken in response to their report of not feeling safe.<sup>1</sup>
- 5.3** A safe school building and access to clean facilities including bathrooms, classrooms, gyms, hallways, and cafeterias.<sup>1,3</sup>
- 5.4** Protection of privacy covered by the Family Educational Rights and Privacy Act (FERPA)<sup>2</sup>; This means no one has the right to interfere in students' or families' private lives or to look at or expose their private information without permission.
- 5.5** Protection under Title IX, a federal law that requires schools to prevent, recognize, respond, and remedy sexual violence, sexual harassment, and discrimination on the basis of sex and/or gender. Under this law:
  - 5.5a** Students have a guaranteed right to freedom from harassment and discrimination based on sex, sexual orientation, gender, gender identity, and gender expression; this includes sexual harassment and/or sexual violence.<sup>6</sup>

- 5.5b** Students are guaranteed the freedom to report an incident to school and/or police (and to receive a prompt and fair response).<sup>6</sup>
- 5.5c** *If a student is experiencing gender-based discrimination, sexual harassment, or other sexual misconduct they can file a report with the school, network staff and OSP at 773-553-4400. If it is an emergency, call 911. CPS employees must take additional steps to report signs of student neglect and abuse including calling the Illinois Department of Children and Family Services and the Office of Inspector General.*<sup>12</sup>
- 5.5d** *For students who are pregnant or parenting:*
  - 5.5d<sub>1</sub>** Guaranteed freedom to continue to attend classes and extracurricular activities while pregnant (without needing a doctor's note).<sup>2</sup>
  - 5.5d<sub>2</sub>** Guaranteed freedom to receive excused absences due to pregnancy related conditions or illnesses, breastfeeding or childbirth (with a doctor's note).<sup>2</sup>
  - 5.5d<sub>3</sub>** *District staff should not coerce students into attending another school due to pregnancy.*

## ENDNOTE REFERENCES

1. [MIKVA Student Council Bill of Rights Early Draft](#)
2. [New York City Bill of Student Rights and Responsibilities, K-12](#)
3. [Lincoln High School Student Bill of Rights and Responsibilities](#)
4. [Early CPS Draft](#)
5. [Office of Student Health and Wellness - Healthy Foods](#)
6. [Know Your Rights: Title IX Prohibits Sexual Harassment and Sexual Violence Where You Go to School](#)
7. [Know Your Rights: Pregnant or Parenting? Title IX Protects You From Discrimination At School](#)
8. [Chicago Public Schools Policy Manual: Sexual Health Education](#)
9. [CPS Integrity Memo #9](#)
10. [Illinois Department of Children & Family Services, Child Protection](#)
11. [Chicago Public Schools Policy Manual, Reporting Of Child Abuse, Neglect And Inappropriate Relations Between Adults And Students](#)
12. [See Something Say Something: Protocol for Reporting Allegations of Sexual Misconduct](#)
13. [Addressing Bullying and Bias-based Behavior Policy, Chicago Public Schools, 2021-2022](#)
14. [Student Code of Conduct Policy, Chicago Public Schools, 2021-2022](#)
15. [Illinois General Assembly Public Act 099-0801](#)

# acknowledgement of receipt of the student code of conduct

## Chicago Public Schools Student Code of Conduct

### Student Agreement

I, \_\_\_\_\_ (print student's name) have received and read the Student Code of Conduct ("SCC") for the Chicago Public Schools. I am aware of my rights and responsibilities under the SCC. Furthermore, I understand that inappropriate student behavior will result in interventions and consequences as stated under the SCC.

---

Student Signature

Date

### Parent/Guardian Agreement

Dear Parent or Guardian:

Chicago Public Schools believes that you should be informed regarding our effort to create and maintain a safe and secure learning environment for all students. Please read the SCC and sign the document below to acknowledge your receipt and understanding of the SCC.

I am the parent or guardian of the above named student. I have received and read the SCC. I understand that by signing this document, I agree to support and promote the goals of the SCC and make every effort to work with the school in resolving all disciplinary matters.

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Parent/Guardian Signature

Date



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# introduction

Effective August 30, 2021

## PURPOSE

The Chicago Public Schools (CPS) Student Code of Conduct (SCC) supports our schools in maintaining safe, nurturing, participatory and productive learning environments. In order to maximize learning time and promote positive behaviors, every school must establish multi-tiered systems of support for students' social, emotional and behavioral needs. This includes developing clear expectations, teaching social-emotional competencies, and fostering positive relationships among all members of the school community. Chicago Public Schools is committed to an instructive, corrective, and restorative approach to behavior. If behavior incidents arise that threaten student and staff safety or severely disrupt the educational process, the response should minimize the impact of the incident, repair harm, and address the underlying needs behind student behaviors. In accordance with the SCC, all disciplinary responses must be applied respectfully, fairly, consistently, and protect students' rights to instructional time whenever possible.

A safe, welcoming, and productive school requires the support of all staff, students, and families.

## RIGHTS AND RESPONSIBILITIES

### Student Rights

- To receive a free high-quality public education
- To be safe at school
- To be treated fairly, courteously, and respectfully
- To bring complaints or concerns to the school principal or staff for resolution
- To tell their side of the story before receiving a consequence
- To be told the reason(s) for any disciplinary action verbally and in writing
- To be given information about appealing disciplinary actions



- To express opinions, support causes, assemble to discuss issues, and engage in peaceful and responsible demonstrations

### **Student Responsibilities**

- To read and become familiar with this policy
- To attend school daily, prepare for class, and complete class and homework assignments to the best of their ability
- To know and follow school rules and instructions given by the school principal, teachers, and other staff
- To tell school staff about any dangerous behavior or bullying that occurs at school, on the way to and from school, or in the school community
- To bring to school only those materials that are allowed
- To treat everyone in the school community with respect
- To respect school property, community property, and the property of others

### **Parent/Guardian Rights**

- To be actively involved in their child's education
- To be treated fairly and respectfully by the school principal, teachers, and other staff
- To access information about the Chicago Board of Education (Board) policies and procedures
- To be notified promptly if their child is disciplined for inappropriate or disruptive behavior and informed of the consequences assigned
- To appeal disciplinary actions taken
- To receive information about their child's academic and behavioral progress

### **Parent/Guardian Responsibilities**

- To read and become familiar with this policy
- To make sure their child attends school regularly, on time, and to notify the school before the school day begins if their child is absent
- To give the school accurate and current contact information
- To tell school officials about any concerns or complaints respectfully and in a timely manner



## Chief Executive Officer or Designee Responsibilities

- To monitor the implementation of prevention strategies and the safety and security program in each school
- To systematically monitor and publish suspension, expulsion, and other disciplinary data disaggregated by race/ethnicity, sex, limited English proficiency, and disability
- To prepare recommendations for improving school discipline
- To create guidelines for effective school discipline
- To establish procedures for reciprocal reporting with the Chicago Police Department

# 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.<sup>1</sup>

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 their 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) Prior to gathering information, 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.
  - b) If a search of the student, their 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.

<sup>1</sup> 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>).

- 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** their perspective.
- Inform the student of the inappropriate behavior they may have exhibited, the applicable SCC behavior category, and the range of possible interventions and consequences.
  - Ask the student to explain what happened from their perspective and reflect on their actions.
  - Seek to understand the root cause of the behavior, including trauma or unmet social, emotional or behavioral health needs.
  - Make reasonable efforts to contact the parents/guardians and discuss the incident with them before assigning interventions and consequences.
  - 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.**
- 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.
  - 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.
- 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.
  - 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.
  - Follow the special procedures contained in the Procedural Safeguards section for students with disabilities and students with Section 504 Plans.
  - 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.**
  - 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.
  - If a student is suspended, the principal or their 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, mail a copy of the misconduct report to the student's home address, or email the misconduct report to a documented email provided by the parent/guardian.

**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](mailto:studentadjudication@cps.edu), or the Network Chief of Schools ("Network Chief") or their designee (contact information available at [www.cps.edu/Networks](http://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 CEEdO 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 their 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 their 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 their 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 alleged illegal behavior (non-emergency situations). To prevent traumatic impacts of police arrest for children and their families, school administrators should prioritize a trauma-responsive behavioral health approach that focuses on de-escalation and restorative, mental health intervention based on student needs before considering police involvement. Administrators shall follow these guidelines when considering any police notification.



## 1. Emergency Situations

School administrators have the responsibility to call 9-1-1 in situations they determine to be safety emergencies that constitute **immediate threats of danger or imminent harm** to students, staff, or other individuals in the school. This includes but is not limited to:

- Active use, possession, and/or concealment of a firearm/destructive device or other weapon or “look-alikes” of weapons, or use or intent to use an object as a weapon to inflict significant bodily harm (see Reference Guide for Group 6 behaviors involving dangerous objects, weapons or look-alike weapons)
- An act of physical violence or threat of imminent harm by a student that is **in progress and unable to be safely de-escalated by school safety officers and support staff, such as restorative practitioners or clinicians**
- Bomb threat (6-4) or Arson (6-3)

In an emergency situation, administrators must make reasonable efforts to notify parents/guardians immediately after 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.

School administrators should immediately contact the CPS Student Safety Center at 773-553-3335 after contacting CPD in emergency situations.

## 2. Alleged Illegal Behavior (Non-Emergency Situations)

When a student engages in alleged illegal behavior, it may be necessary for school staff to report the act to their local law enforcement agency. In this situation, school officials contact CPD to report violations of the law.

**In non-emergency situations, school officials must not contact CPD, including School Resource Officers (SRO) to request removal of a disruptive student from the school, including classrooms, common areas, and school-sponsored events.**

In a non-emergency situation, administrators must do the following prior to contacting police, including School Resource Officers:

- 1) Call the CPS Student Safety Center (773-553-3335) to report the incident.
- 2) For a student in fifth (5th) grade or below, school staff shall consult with the Law Department (773 553-1700) prior to reporting the act to CPD.
- 3) School administrators and district officials will assess the alleged behavior using the below criteria and determine whether CPD must be notified, including the manner of notification. All CPD notifications should be recorded in Aspen within 24 hours. School officials should consider factors including:
  - Whether the behavior is related to a student’s disability as outlined in their IEP/504. School can contact their ODLSS District Representative for additional support.





# student behaviors covered by the SCC

This section identifies the specific inappropriate behaviors for which students will receive interventions and/or consequences. The behaviors are listed in six different groups, according to the degree of disruption to the learning environment.

- Group 1 lists behaviors that are *inappropriate*.
- Group 2 lists behaviors that *disrupt*.
- Group 3 lists behaviors that *seriously disrupt*.
- Group 4 lists behaviors that *very seriously disrupt*.
- Group 5 lists behaviors that *most seriously disrupt*.
- Group 6 lists behaviors that are *illegal and most seriously disrupt*.

## SPECIAL NOTES:

### Individual School Rules and Academic Progress

Individual schools may develop school rules that are consistent with this SCC and may address inappropriate student behaviors not specifically included in this SCC. However, poor academic achievement is not an inappropriate behavior. The SCC and school rules may *not* be used to discipline students for poor academic progress or failure to complete in-class and homework assignments. Instead, struggling students should be considered for academic or behavioral interventions to help them improve. Also, students must not be disciplined for the parents/guardians' refusal to consent to the administration of medication.

### Cellular Phones and Other Information Technology Devices<sup>2</sup>

A principal may allow students to possess cellular phones or other information technology devices by creating a school policy identifying when the items may be authorized, used, and how they must be kept. A principal may also prohibit cellular phones and other information technology devices but allow individual students to possess them for any good cause after considering a written request from a parent/guardian. If a principal denies a parent/guardian's

<sup>2</sup> These include, but are not limited to: computers, cellular phones used to exchange or access information, pagers, and personal digital assistants or handheld devices, that are used to access the internet, electronic mail or other information sites and that may or may not be physically connected to the network infrastructure.



request, the parent may appeal to the Network Chief or their designee. Unless approved by the principal, cellular phones and other information technology devices are not allowed at school.

### Network Privileges and Access<sup>3</sup>

A principal may request that a student’s access or privileges to the CPS network be temporarily restricted, in whole or in part, as a result of SCC violations that create an unsafe learning environment or if they prevent other students from accessing their learning. These restrictions to the CPS network should not be indefinite and should 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.

### School Dress Codes and Uniform Policies

Local School Councils may adopt a dress code policy that forbids students from wearing certain items or a uniform policy that requires students to wear a specific uniform. Dress codes and uniform policies should be gender-neutral. Students who fail to follow a school’s dress code or uniform policy may be given detentions or excluded from extracurricular activities, but may not be barred from attending class. A student may receive additional consequences for violating a school’s dress code or uniform policy if the student’s dress disrupts or may disrupt the educational process. For example, a student may receive a consequence for wearing clothing or accessories that display gang affiliation. This paragraph does not apply to students enrolled in Military Academies or JROTC Programs.

student behaviors covered by the SCC

### Bias-based/Discriminatory Behavior

The Illinois General Assembly has found that a safe and civil school environment is necessary for students to learn and achieve. Bias-based behaviors, including racism and all forms of discrimination on the basis of actual or perceived membership of a protected category, are directly contrary to this and can cause physical, psychological, and emotional harm to students and interferes with their ability to learn and participate in school activities. Chicago Public Schools acknowledges its historic role in the systemic marginalization of individuals most impacted by racism, bias, and oppression. We seek to understand, disrupt, and dismantle patterns and structures of institutional bias and racism (conscious or unconscious) that create disparities or perpetuate achievement differences among students and staff. School administrators and designees should refer to the Addressing Bullying and Bias-based Behavior Policy included in this handbook for instructions on addressing all allegations of bullying or Bias-based

<sup>3</sup> 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>).

behaviors by students. In the event that an investigation substantiates an allegation of Bias-based behavior, school administrators or designees should assign relevant SCC codes, restorative interventions, applicable consequences, and seek to identify and disrupt the systems and structures in our schools that allow discrimination to occur.

### **Military and JROTC Programs**

Board-designated military academies and other JROTC programs may enforce standards of conduct and interventions or consequences that are consistent with the military nature of those schools and programs, in addition to the standards of conduct and intervention or consequences described in this SCC. Students enrolled in a military academy who repeatedly engage in acts of gross misconduct or insubordination (student act that defies a lawful and appropriate direct order of a superior ranked officer, staff member or another student), 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.

### **First Amendment Consideration**

Consistent with students' First Amendment rights, the Board enacted its Final Comprehensive Non-Discrimination, Sexual Harassment, Sexual Misconduct, and Retaliation Policy which enforces federally mandated protections, including those under Title VI and Title IX.

### **Dating Violence and Domestic Violence Statement**

Any school employee who is notified by a parent, guardian or student, or who suspects, that a student has been the victim of dating violence shall immediately report that information to the principal/designee. Dating violence is defined as violent, controlling, or intimidating behavior that an individual uses against a current or former dating partner. It can include emotional, physical and sexual abuse, stalking, yelling, harassing, threatening, name-calling, threats of suicide, obsessive phone calling or text messaging, extreme jealousy and possessiveness. Domestic Violence is defined as: a





## Group 1 – Inappropriate Behaviors

INAPPROPRIATE BEHAVIOR	AVAILABLE INTERVENTIONS AND CONSEQUENCES
<p>1-1 Running and/or making excessive noise in the hall or building</p> <p>1-2 Leaving the classroom without permission</p> <p>1-3 Engaging in any behavior that is disruptive to the orderly process of classroom instruction</p> <p>1-4 Loitering, or occupying an unauthorized place in the school or on school grounds</p> <p>1-5 Failing to attend class without a valid excuse</p> <p>1-6 Persistent tardiness to school or class (3 or more incidents per semester)</p> <p>1-7 Use of the CPS network for the purpose of accessing non-educational materials, such as games and other inappropriate materials<sup>4</sup></p> <p>1-8 Unauthorized use or possession of cellular telephones or other information technology devices</p>	<ul style="list-style-type: none"> <li>• Documented Teacher, Student, Parent/Guardian, and/or Administrator Conference focused on expectation violated, cause of behavior, and strategy to prevent recurrence</li> <li>• Recommended instructive, corrective, or restorative response (see <i>Guidelines for Effective Discipline</i>)</li> <li>• Detention – lunch, before school, after school, or Saturday</li> </ul>





## Group 2 – Disruptive Behaviors

<p><b>DISRUPTIVE BEHAVIOR</b></p>	<p><b>AVAILABLE INTERVENTIONS AND CONSEQUENCES</b> (Whenever possible, interventions and consequences that do not exclude the student from their regular educational schedule should be attempted first.)</p>
<p>2-1 Posting or distributing unauthorized written materials on school grounds</p> <p>2-2 Leaving the school without permission</p> <p>2-3 Interfering with school authorities and programs through walkouts or sit-ins</p> <p>2-4 Initiating or participating in any unacceptable minor physical actions</p> <p>2-5 Failing to abide by school rules and regulations not otherwise listed in the SCC</p> <p>2-6 Exhibiting or publishing any profane, obscene, indecent, immoral, libelous, or offensive materials, or using such language or gestures</p> <p>2-7 Possession (physical control over, such as contained in clothing, lockers, or bags) and/or use of tobacco or nicotine products, matches, or cigarette lighters, including vaporizer devices that contain nicotine products or vaporizer components that do not contain substances</p> <p>2-8 Disregard for the instructions or direction of school personnel causing interruption to other students' participation in school activities</p> <p>2-9 Failing to provide proper identification</p> <p>2-10 Unauthorized use of school parking lots or other areas</p> <p>2-11 Use of the CPS network for the purposes of distributing or downloading non-educational material<sup>5</sup></p>	<ul style="list-style-type: none"> <li>• Documented Teacher, Student, Parent/Guardian, and/or Administrator Conference focused on expectation violated, cause of behavior, and strategy to prevent recurrence</li> <li>• Recommended instructive, corrective, or restorative response (see <i>Guidelines for Effective Discipline</i>)</li> <li>• Detention – lunch, before school, after school, or Saturday</li> </ul>





## Group 3 – Seriously Disruptive Behaviors

<p><b>SERIOUSLY DISRUPTIVE BEHAVIOR</b></p>	<p><b>AVAILABLE INTERVENTIONS AND CONSEQUENCES</b> (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 bus<sup>6</sup></p> <p>*3-2 Gambling – participating in games of chance or skill for money or things of value</p> <p>3-3 Fighting<sup>7</sup> – 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 before assigning an intervention or consequence.<sup>8,9</sup></p> <p>3-5 Second or more documented violation of a Group 1 or 2 behavior category<sup>10</sup></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 Forgery – false and fraudulent making or altering of a document or the use of such a document</p> <p>3-8 Plagiarizing, cheating and/or copying the work of another student or other source</p> <p>3-9 Overt display of gang affiliation<sup>11</sup></p> <p>3-10 Bullying behaviors – conduct directed towards a student, or retaliation against another person for reporting non-sexual conduct that can be reasonably predicted to cause fear of physical or mental harm, 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 before assigning an intervention or consequence)<sup>12</sup></p>	<ul style="list-style-type: none"> <li>• Documented Teacher, Student, Parent/Guardian, and Administrator conference focused on expectation violated, cause of behavior, and strategy to prevent recurrence</li> <li>• Recommended instructive, corrective, or restorative response (see <i>Guidelines for Effective Discipline</i>)</li> <li>• Detention – lunch, before school, after school, or Saturday</li> <li>• Skill-building in-school suspension up to three days</li> </ul> <p><b>ADDITIONAL CONSEQUENCES AVAILABLE FOR REPEATED GROUP 3 INAPPROPRIATE BEHAVIOR</b></p> <ul style="list-style-type: none"> <li>• Skill-building in-school suspension, out-of-school suspension, or combination in-school and out-of-school suspension up to three days</li> <li>- Out-of-school and in-school suspensions assigned to repeated 3-06 behavior must be approved by the Network Chief or designee. For District schools that do not have Network oversight, approvals must be made by the Office of Network Support.</li> </ul>

<p>3-11 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<sup>3, 14</sup></p>	<p>- Out-of-school suspensions of three days or less may be used <b>only</b> if the student's continuing presence in school would pose a threat to safety or a disruption to other students' learning opportunities</p>
<p>3-12 Inappropriately wearing any JROTC or Military Academy Uniform on or off school grounds</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<sup>3, 14</sup></p>
<p>3-13 Use of the CPS network for a seriously disruptive purpose not otherwise listed in this SCC<sup>15</sup></p>	<p>Use of the CPS network for a seriously disruptive purpose not otherwise listed in this SCC<sup>15</sup></p>

\*Behaviors marked with an asterisk indicates that the misconduct may be a violation of the law.

<sup>6</sup> In addition to other disciplinary actions, a student who engages in disruptive behavior on the school bus may be subject to suspension from bus service for a period to be determined by the school principal with review by the Chief Executive Officer or designee.

<sup>7</sup> It is not an act of misconduct to defend oneself as provided by the law.

<sup>8</sup> Behaviors targeted at sex, gender, sexual orientation, gender identity, gender expression must be reported to the Office of Student Protections and Title IX. A full definition of protected categories can be found in the Addressing Bullying and Bias-based Behavior Policy.

<sup>9</sup> Harassment based on race, color, national origin or immigration status, sex, gender, sexual orientation, age, religion, gender identity, gender expression or disability, directed to Covered Individual adults must be reported to the Equal Opportunity Compliance Office (EOCO).

<sup>10</sup> For example, a student's first time failing to provide proper identification would be recorded as a 2-9 behavior category and available consequences would include skill-building in-school suspension up to three days. A student's second time failing to provide proper identification would be recorded as a 3-5 behavior category and available consequences would include skill-building in-school suspension up to three days. A student's third time failing to provide proper identification would be recorded as a 3-5 behavior category, repeated Group 3 inappropriate behavior, and available consequences would include skill-building in-school suspension, out-of-school suspension, or combination in-school and out-of-school suspension up to three days.

<sup>11</sup> A gang is any ongoing organization or group of three or more persons having as one of its primary activities the commission of one or more criminal acts, which has an identifiable name or identifying sign or symbol, and whose members individually or collectively engage in or have engaged in a pattern of criminal activity. Gang activity means any act (e.g., recruitment with use of intimidation, tagging or marking, assault, battery, theft, trespassing, or extortion) performed by a gang member or on behalf of a gang, and intended to further a common criminal objective. An overt display of gang affiliation means any act (e.g., wearing clothing or paraphernalia, displaying gang signs, symbols, and signals) that signifies or exhibits affiliation with a gang. Gang activity and overt displays of gang affiliation can be implied from the character of the acts and the circumstances surrounding the misconduct. Repeated violations of Behavior 3-9 of the SCC may result in a referral for an expulsion hearing and should be submitted as Behavior 5-6.

<sup>12</sup> Behaviors targeted at sex, gender, sexual orientation, gender identity, or gender expression must be reported to the Office of Student Protections and Title IX.

<sup>13</sup> Students may be temporarily suspended from CPS network privileges for improper use of information technology devices when it has been established that the behavior has resulted in an unsafe learning environment or if other students' 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.

<sup>14</sup> 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.

<sup>15</sup> Students may be temporarily suspended from CPS network privileges for improper use of information technology devices when it has been established that the behavior has resulted in an unsafe learning environment or if other students' 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.

student behaviors covered by the SCC

**Group 4 – Very Seriously Disruptive Behaviors**

<p><b>VERY SERIOUSLY DISRUPTIVE BEHAVIOR</b></p>	<p><b>AVAILABLE INTERVENTIONS AND CONSEQUENCES</b> (Whenever possible, interventions and consequences that do not exclude the student from their regular educational schedule should be attempted first.)</p>
<p>*4-1 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</p> <p>*4-2 Extortion – obtaining money or information from another by coercion or intimidation</p> <p>*4-3 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<sup>16</sup></p> <p>*4-4 Willful or malicious destruction or defacing of the property of others or damage to property at a cost less than \$500</p> <p>*4-5 Unwanted bodily contact with another person without legal justification or aiding or abetting in the commission of this behavior which does not result in a physical injury</p> <p>*4-6 Fighting<sup>17</sup> – physical contact between more than two people with intent to harm, or physical contact between two people with intent to harm that results in injury</p> <p>*4-7 Theft (unauthorized control over the physical property of another) or possession (physical control over, such as contained in clothing, lockers or bags) of stolen property that costs less than \$150</p> <p>*4-8 Possession, use, sale, or distribution of fireworks</p> <p>4-9 Any behavior not otherwise listed in Groups 1 through 4 of this SCC that very seriously disrupts the educational process</p> <p>4-10 [this code intentionally left blank]</p>	<ul style="list-style-type: none"> <li>• Documented Teacher, Student, Parent/Guardian, and Administrator conference focused on expectation violated, cause of behavior, and strategy to prevent recurrence</li> <li>• Recommended instructive, corrective, or restorative response (see <i>Guidelines for Effective Discipline</i>)</li> <li>• Detention – lunch, before school, after school, or Saturday</li> <li>• Skill-building in-school suspension, out-of-school suspension, or combination in-school and out-of-school suspension up to three days</li> <li>- Out-of-school and in-school suspensions assigned to 4-9 behavior must be approved by the Network Chief or designee. For District schools that do not have Network oversight, approvals must be made by the Office of Network Support.</li> <li>- Out-of-school suspensions of three days or less may be used <b>only</b> if the student’s continuing presence in school would pose a threat to safety or a disruption to other students’ learning opportunities</li> </ul>

	<p>*4-11 Trespassing on CPS property – entering CPS property when previously prohibited or remaining on school grounds after receiving a request to depart</p> <p>*4-12 Knowingly or intentionally using the CPS network or information technology devices to spread viruses to the CPS network<sup>18</sup></p> <p>4-13 Possession of any dangerous object as defined by this SCC, first documented behavior (see Reference Guide)<sup>19</sup></p> <p>*4-14 Use or possession of alcohol, drugs, controlled substances, “look-alikes” of such substances, 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<sup>20</sup></p> <p>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 fight with another student, with no intent to harm school personnel</p> <p>4-16 Voluntary sex acts or voluntary sexual conversations between students that occur on CPS property or during CPS-sponsored activities. This includes any voluntary action that includes genital contact, including fondling, digital penetration, sexual intercourse, oral sex, or sending sexually explicit messages or emails<sup>21</sup></p>
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\* Behaviors marked with an asterisk indicates that the misconduct may be a violation of the law.

<sup>16</sup> This infraction may be violated without actually touching, striking or injuring the another person.

<sup>17</sup> It is not an act of misconduct to defend oneself as provided by the law.

<sup>18</sup> Students may be temporarily suspended from some or all CPS network privileges for improper use of information technology devices when it has been established that the behavior has resulted in an unsafe learning environment or if other students' 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.

<sup>19</sup> Second or repeated violations of Behavior 4-13 may result in a request for an expulsion hearing and must be submitted as Behavior 5-11.

<sup>20</sup> Consider referring students who violate 4-14 for a substance abuse prevention program or counseling.

<sup>21</sup> 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.

student behaviors covered by the SCC

## Group 5 – Most Seriously Disruptive Behaviors

<b>MOST SERIOUSLY DISRUPTIVE BEHAVIOR</b>	<b>AVAILABLE INTERVENTIONS AND CONSEQUENCES</b>
<p>*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<sup>22</sup></p> <p>*5-2 Knowingly and without authority entering or remaining in a building or vehicle with intent to commit a felony or theft therein</p> <p>*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</p> <p>*5-4 Use of intimidation, credible threats of violence, coercion, stalking, or persistent severe discrimination, Bias-based behavior, bullying and/or dating violence or domestic violence.<sup>23</sup> 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-based behavior or bullying, see the Addressing Bullying and Bias-based Behavior Policy before assigning an intervention or consequence.<sup>24</sup></p> <p>5-5 [this code intentionally left blank]</p> <p>*5-6 Gang activity or overt displays of gang affiliation<sup>25</sup></p> <p>*5-7 Inappropriate sexual conduct, including unwelcome sexual contact, indecent exposure, and creating and/or transmitting sexually suggestive images and recordings through any device or medium<sup>26</sup></p> <p>*5-8 Engaging in or attempting any allegedly illegal behavior which interferes with the school's educational process and is not otherwise listed in Group 5 or 6</p>	<ul style="list-style-type: none"> <li>• Documented Teacher, Student, Parent/Guardian, and Administrator conference focused on expectation violated, cause of behavior, and strategy to prevent recurrence</li> <li>• Recommended instructive, corrective, or restorative response (see <i>Guidelines for Effective Discipline</i>)</li> <li>• Detention – lunch, before school, after school, or Saturday</li> <li>• Request for assignment to an intervention program by the Chief Executive Officer or designee</li> <li>• Skill-Building in-school suspension, out-of-school suspension, or combination in-school and out-of-school suspension for up to five days. When the suspension is assigned, create a plan for preventing future behavior incidents, restoring relationships, and addressing student needs.</li> <li>- Out-of-school suspensions of three days or less may be used <b>only</b> if the student's continuing presence in school would pose a threat to safety or a disruption to other students' learning opportunities</li> </ul>

<p>*5-9 Persistent or severe acts of sex-based harassment - unwelcome sexual or gender-based conduct (either physical, verbal, or electronic), or retaliation against any person for having made a complaint or report of sexual misconduct, which is sufficiently severe, pervasive, objectively offensive, and/or persistent pervasive to limit a student's ability to participate in or benefit from the educational program or which creates a hostile or abusive school environment<sup>27</sup></p> <p>*5-10 False activation of a fire alarm which causes a school facility to be evacuated or causes emergency services to be notified</p> <p>5-11 Second or repeated violation of Behavior 4-13, possession of any dangerous object as defined by this SCC</p> <p>*5-12 Unwanted bodily contact with another person without legal justification or aiding or abetting in the commission of this behavior which results in a physical injury<sup>28</sup></p> <p>5-13 [this code intentionally left blank]</p>	<p>- Out-of-school suspensions of longer than three days may be used <b>only</b> if other appropriate and available behavioral and disciplinary interventions have been exhausted and the student's continuing presence in school would either (i) pose a threat to the safety of other students, staff, or members of the school community or (ii) substantially disrupt, impede, or interfere with the operation of the school</p> <p>- Out-of-school or in-school suspensions assigned to 5-8 behavior must be approved by the Network Chief or designee. For District schools that do not have Network oversight, approvals must be made by the Office of Network Support.</p>
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\* Behaviors marked with an asterisk indicates that the misconduct may be a violation of the law.

<sup>27</sup> This infraction may be violated without actually touching, striking or injuring another person.

<sup>28</sup> See full definitions of Dating Violence and Domestic violence under Special Notes at the beginning of this section of the policy.

<sup>24</sup> 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. A full definition of protected categories can be found in the Addressing Bullying and Bias-based Behavior Policy.

<sup>25</sup> A gang is any ongoing organization or group of three or more persons having as one of its primary activities the commission of one or more criminal acts, which has an identifiable name or identifying sign or symbol, and whose members individually or collectively engage in or have engaged in a pattern of criminal activity. Gang activity means any act (e.g., recruitment with use of intimidation, tagging or marking, assault, battery, theft, trespassing, or extortion) performed by a gang member or on behalf of a gang, and intended to further a common criminal objective. An overt display of gang affiliation means any act (e.g., wearing clothing or paraphernalia, displaying gang signs, symbols, and signals) that signifies or exhibits affiliation with a gang. Gang activity and overt displays of gang affiliation can be implied from the character of the acts and the circumstances surrounding the misconduct. Consider referring students who commit 5-6 behaviors to a gang intervention program at a community based organization.

<sup>26</sup> Behaviors targeted at sex, gender, sexual orientation, gender identity, or gender expression must be reported to the Office of Student Protections and Title IX.

<sup>27</sup> 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.

<sup>28</sup> It is not an act of misconduct to defend oneself as provided by the law.

student behaviors covered by the SCC

**Group 5 – Most Seriously Disruptive Behaviors (cont'd)**

<p><b>MOST SERIOUSLY DISRUPTIVE BEHAVIOR</b></p>	<p><b>AVAILABLE INTERVENTIONS AND CONSEQUENCES</b></p>
<p>*5-14 Use of any computer, including social media platforms, or use of any information technology device to threaten, stalk, harass, bully or otherwise intimidate others. Or, hacking (intentionally gaining access by illegal means or without authorization) into the CPS network to access student records or other unauthorized information, or to otherwise circumvent the information security system.<sup>29,30</sup></p>	<ul style="list-style-type: none"> <li>• The principal may request an expulsion hearing at their discretion</li> <li>• For behaviors involving the improper use of the CPS network or information technology devices, revocation of network privileges for up to two years</li> </ul>
<p>*5-15 Willful or malicious destruction or defacing of property or criminal damage to property that results in damage exceeding \$500 or that is done to personal property belonging to any school personnel</p>	
<p>5-16 [this code intentionally left blank]</p>	
<p>5-17 [this code intentionally left blank]</p>	
<p>5-18 [this code intentionally left blank]</p>	
<p>*5-19 Participating in a large or disorderly group of students using force to cause injury to a person or property, or persisting in severe disruption after being directed to cease by school personnel or Police</p>	





## Group 6 – Illegal and Most Seriously Disruptive Behaviors

<b>ILLEGAL AND MOST SERIOUSLY DISRUPTIVE BEHAVIOR</b>	<b>AVAILABLE INTERVENTIONS AND CONSEQUENCES</b>
<p>*6-1 Use, possession, and/or concealment of a firearm<sup>31</sup>/destructive device or other weapon<sup>32</sup> or “look-alikes” of weapons as defined in the Reference Guide, or use or intent to use any other object to inflict bodily harm</p> <p>*6-2 Intentionally causing or attempting to cause all or a portion of the CPS network to become inoperable<sup>33,34</sup></p> <p>*6-3 Arson – knowingly damaging, by means of fire or explosive, a building and/or the personal property of others</p> <p>*6-4 Bomb threat – false indication that a bomb, or other explosive of any nature, is concealed in a place that would endanger human life if activated</p> <p>*6-5 Robbery – taking personal property in the possession of another by use of force or by threatening the imminent use of force</p> <p>*6-6 Sale, distribution, or intent to sell or distribute alcohol, illegal drugs, narcotics, controlled substances, “look-alikes”<sup>35</sup> of such substances, contraband,<sup>36</sup> or any other substance used for the purpose of intoxication<sup>37</sup></p> <p>*6-7 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. This is unwelcome touching of the private body parts of another person (buttocks, groin, breasts) for the purpose of sexual gratification, forcibly and/or against the person’s will. This also includes unwelcome oral, anal or vaginal penetration. Sexual violence occurs when a reasonable person knew or should have known that the victim did not or could not engage in the sex act voluntarily.<sup>38</sup></p>	<ul style="list-style-type: none"> <li>• Documented Teacher, Student, Parent/Guardian, and Administrator conference focused on expectation violated, cause of behavior, and strategy to prevent recurrence</li> <li>• Recommended instructive, corrective, or restorative response (see <i>Guidelines for Effective Discipline</i>)</li> <li>• Detention – lunch, before school, after school, or Saturday</li> <li>• Request for assignment to an intervention program by the Chief Executive Officer or designee</li> <li>• Skill-building in-school suspension, out-of-school suspension, or combination in-school and out-of-school suspension for up to five days.<sup>39</sup> A student may be suspended for up to ten days with written justification submitted for approval in the District student information system. When the suspension is assigned, create a plan for preventing future behavior incidents, restoring relationships, and addressing student needs.</li> <li>- Out-of-school suspensions of three days or less may be used <b>only</b> if the student’s continuing presence in school would pose a threat to school safety or a disruption to other students’ learning opportunities</li> </ul>

<p>*6-8 Unwanted bodily contact with another person without legal justification that causes great harm, is done with a deadly weapon, is done by a person who conceals their identity, or the use of physical force against school personnel. This includes aiding and abetting in the commission this behavior</p> <p>*6-9 Murder – killing an individual without legal justification</p> <p>*6-10 Attempted murder – an act that constitutes a substantial step toward intended commission of murder</p> <p>*6-11 Kidnapping – secret confinement of another against their will or transportation of another by force or deceit from one place to another with the intent to secretly confine</p> <p>*6-12 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 \$1,000</p>	<p>- Out-of-school suspensions longer than three days may be used <b>only</b> if other appropriate and available behavioral and disciplinary interventions have been exhausted and the student's continuing presence in school would either (i) pose a threat to the safety of other students, staff, or members of the school community or (ii) substantially disrupt, impede, or interfere with the operation of the school</p> <ul style="list-style-type: none"> <li>For students in sixth through twelfth grades, or for any student violating section 6-1, automatic referral to Student Adjudication Review</li> <li>The principal may request an expulsion hearing at their discretion</li> <li>For behaviors involving the improper use of the CPS network or information technology devices, revocation of network privileges indefinitely</li> </ul>
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\* Behaviors marked with an asterisk indicates that the misconduct may be a violation of the law.

<sup>31</sup> The term "firearm/destructive device" as defined in 18 U.S.C. Section 921 includes, but is not limited to, handguns, rifles, automatic weapons, bombs, or other incendiary devices and parts thereof.

<sup>32</sup> Weapons include any object that is commonly used to inflict bodily harm, and/or an object that is used or intended to be used in a manner that may inflict bodily harm, even though its normal use is not as a weapon.

<sup>33</sup> A network is considered inoperable when it is unable to perform at the level of functionality intended by its maintainers.

<sup>34</sup> Students may be temporarily suspended from some or all CPS network privileges for improper use of information technology devices when it has been established that the behavior has resulted in an unsafe learning environment or if other students' 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.

<sup>35</sup> "Look-alike" means any substance which by appearance, representation, or manner of distribution would lead a reasonable person to believe that the substance is an illegal drug or other controlled substance.

<sup>36</sup> Contraband means any instrument used to commit a crime or violation, and any other item, when possessing that item violates any applicable law, City ordinance, rule or policy of the Board or any individual school.

<sup>37</sup> It may be assumed that a student in possession of large quantities of alcohol, illegal drugs, narcotics, or controlled substances, or in possession of multiple individually-packaged amounts of alcohol, illegal drugs, narcotics or controlled substances, intends to sell or deliver these substances. Consider referring students who violate behavior 6-6 for substance abuse prevention program or counseling.

<sup>38</sup> Behaviors targeted at sex, gender, sexual orientation, gender identity, or gender expression must be reported to the Office of Student Protections and Title IX.

<sup>39</sup> Principals have discretion to suspend a student for fewer than five days if the student has a disability/impairment, based on the student's age/grade level, or for other good cause as determined by the principal or designee.

student behaviors covered by the SCC

# addressing bullying and bias-based behaviors policy

## Purpose

The Illinois General Assembly has found that a safe and civil school environment is necessary for students to learn and achieve. Bullying and Bias-based behaviors are directly contrary to this and can cause physical, psychological, and emotional harm to students and interferes with their ability to learn and participate in school activities. It is the goal of the Chicago Board of Education (“Board”) to create a learning environment in all its school communities where all students feel safe and supported, are protected from bullying and Bias-based harm, and are able to succeed academically as well as develop socially and emotionally into responsible, caring individuals.

The Board asks every Chicago Public School (“CPS”) student, with the support of his/her parent(s), guardian(s) and the adults at school, to commit to the following principles, which will apply to everyone on school property and at school-related activities:

- I will not bully or intentionally harm others.
- I will try to help anyone I suspect is being bullied or harmed.
- I will work to include students who are left out.
- If someone is being bullied or harmed, I will tell an adult at school and an adult at home.

## Scope

Bullying and Bias-based behaviors are contrary to a number of local, state, and federal laws and statutes. This Policy protect CPS students against interpersonal harm from bullying and bias based behaviors. The Board recognizes a number of protected categories in its Final Comprehensive Non-Discrimination Policy. Please see the definition section below or in the CPS Non-Discrimination Policy for the full list of protected categories. Additionally, the Board recognizes the particular vulnerability of students with actual or perceived disabilities and those who identify as or are perceived to be lesbian, gay, bisexual, or transgender. Nothing in this Policy is intended to infringe upon any expression protected by the First Amendment to the United States Constitution or Section 3 of Article I of the Illinois Constitution.

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 occur; 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:

- 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 or perceived member of a protected category within the school community that is of a discriminatory or harmful nature.

**"Bullying"** means any physical or verbal act or conduct, including communications made in writing or electronically, directed toward a student or students, and meets all of the following criteria. *Note: if the behavior or part of the behavior is Bias-based or targeted at a member of a protected category please see the responding to Bias-based behaviors guidelines.*

- 1) An observed or perceived imbalance of power exists between the person(s) engaging in the bullying behavior(s) and the targeted student(s).
- 2) The behaviors are severe or pervasive (repeated over time), or there is a high likelihood that behaviors will be repeated. While bullying is often characterized by repeated acts, sometimes a single incident constitutes bullying depending on the severity and if other elements of bullying are present.
- 3) The intent of the person(s) engaging in the behavior is to cause physical or emotional harm to the targeted student(s).
- 4) The behavior has or can be reasonably predicted to have one or more of the following effects:
  - a) placing the student in reasonable fear of harm to the student's person or property;

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- b) causing a substantially detrimental effect on the student's physical or mental health;
- c) substantially interfering with the student's academic performance; or
- d) substantially interfering with the student's ability to participate in or benefit from the services, activities, or privileges provided by a school.

Bullying may take various forms, including without limitation, one or more of the following: harassment, threats, intimidation, stalking, physical violence, sexual harassment, sexual violence, theft, public humiliation, destruction of property, or retaliation for asserting or alleging an act of bullying. 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 nonschool-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 have differences in opinion or perspectives. When school employees are aware of peer conflict, they are expected to guide students in developing new skills in respectful communication, personal boundaries, and peaceful conflict resolution.

**“Racial Discrimination”** is any distinction, exclusion, restriction or preference based on race, color, community, national or ethnic origin which has the impact of nullifying or impairing the recognition, enjoyment or exercise, of a right to an equitable educational experience and fundamental freedoms in the social, economic, cultural, political, and linguistic aspects of school, school and district life (Adapted from United Nations, 2019).

**“Retaliation”** means any form of intimidation or adverse action or change to educational program or activity taken against a student for having made a complaint or report of bullying or bias based behaviors whether made internally or externally with federal, state, or local agency, or for participating, aiding, or refusing to participate in an investigation, proceeding, or hearing related to a report or complaint of bullying or bias based behaviors.

**“Restorative Practices”** means a continuum of school-based alternatives to exclusionary discipline that are adapted to the particular needs of the school and community, contribute to maintaining school safety, protect the integrity of a positive and productive learning climate, teach students the personal and interpersonal skills they will need to be successful in school and society, serve to build and restore relationships among students, families, schools, and communities, and reduce the likelihood of future disruption by balancing accountability with an understanding of students’ behavioral health needs. Restorative Practices are ways of pro-actively developing relationships and community, as well as repairing community when harm is done. After conflict or harm, Restorative Practices provide a way of thinking about, talking about, and responding to issues and problems by involving all participants to discuss their feelings and opinions, identify what happened, describe how it affected everyone, and find solutions to make things better.

## Preventing Bullying and Bias-based Behaviors

All CPS principals and staff shall work to develop safe and supportive school environments that prevent bullying and Bias-based behaviors through:

- **Developing supportive school climate strategies**, including clear expectations and share agreements to guide interactions between students, and between staff and students.
- **Teaching all students social and emotional skills** and establish classroom and school-wide practices that promote relationship-building, including teaching all school stakeholders to speak out when they see or hear bullying, degrading language, and bias or prejudice.
- Establishing predictable responses and **effective disciplinary practices** that address root cause, teach skills, build empathy, and repair harm. Ensure all students, staff, and stakeholders know how your school plans to respond to bullying and harassment.



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.
- 3) 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](mailto:civilrights@cps.edu).
- 4) Conduct an investigation as directed by OSP.
- a) After OSP is notified of Bias-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 investigator will respond to the school upon the OSP's decision to open the report for an OSP investigation. The OSP investigator will need access to the Student Protections School Representative, access to all parties/students involved, a private location for interviews, and all relevant evidence and documents.
    - ii. School-Based Investigation: When OSP deems an investigation is able to be carried out at the school level OSP will ask the school and its Student Protections School Representative to conduct a school-based investigation. School-based investigations are led by school administrators and/or Student Protections School Representatives. OSP will provide the school guidance. A school must not **conduct an investigation** unless directed to do so by OSP.
    - iii. Resolution Timeframe: Investigations will be completed promptly although some investigations take weeks or even months, depending on the nature, extent, and complexity of the allegations, availability of witnesses, police involvement, etc.
      1. OSP will make a good faith effort to complete the resolution process, not including appeals and discipline, within a ninety (90) calendar day time period, which can be extended as necessary for appropriate cause by the Title IX Coordinator or Designee with notice to the parties as appropriate.
      2. School-based investigators will make a good faith effort to complete

the investigation process after direction from OSP, not including appeals, within ten (10) calendar days which can be extended as necessary for appropriate cause by the school administrator with notice to the parties as appropriate.

- 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 available, and without fee or charge to the parties per the Transforming Bias Based Harm Protocols.
- 5) Make a determination whether allegation of Bias-based behavior is substantiated or not and document determination.
- a) OSP Investigation: OSP investigator will consider whether the behavior qualifies as an inappropriate behavior listed in the SCC and according to the definitions listed in this policy, the comprehensive nondiscrimination policy, and the Transforming Bias-based Harm Protocols and will prepare a written outcome determination of the cases substantiation status. If the investigation determines a student engaged in Bias-based behaviors and/or other inappropriate behaviors listed in the SCC, a written outcome determination will be prepared and the finding will be communicated to the school Principal/Designee.
  - b) School-Based Investigation: Principal/Designee shall consider whether the behavior qualifies as an inappropriate behavior listed in the SCC and according to the definitions listed in this policy as substantiated and will prepare a written outcome determination. The Principal/Designee shall ensure the investigation and findings (whether the reported behavior is substantiated or not substantiated) are documented in the District student information system.
  - c) If any investigation determines a student engaged in Bias-based behavior and/or other inappropriate behaviors listed in the SCC, the Principal/Designee shall prepare a Misconduct Report.
- 6) Notify all involved parties of the outcome of the investigation.
- a) OSP Investigation: Upon the completion of the investigation OSP will issue outcome letters to the involved students and their parent/legal guardian of the investigation status, findings, and next steps including but not limited to potential discipline by the Principal for substantiated SCC violations.
  - b) School Based Investigation: Upon the completion of the investigation, the school administrator will issue a written outcome determination to all parties stating whether the investigation was substantiated or unsubstantiated. If the case is substantiated, the school administrator will communicate any consequences pursuant to the Student Code of Conduct to student(s) determined to have engaged in SCC violations and their parents/guardians.
  - c) Regardless of the outcome of the investigation, the District will take steps to prevent the recurrence of Bias-based and discriminatory behavior, as well as all misconduct covered herein, and correct any discriminatory effects on all impacted parties as appropriate.



# Addressing Allegations of Bullying Behaviors

## Preventing Bullying

All CPS principals and staff shall work to develop safe, supportive school environments that prevent bullying through:

- **Developing supportive school climate strategies**, including clear expectations and share agreements to guide interactions between students, and between staff and students.
- **Teaching all students social and emotional skills** and establish classroom and school-wide practices that promote relationship-building, including teaching all school stakeholders to speak out when they see or hear bullying, degrading language, and bias or prejudice.
- Establishing predictable responses and **effective disciplinary practices** that address root cause, teach skills, build empathy, and repair harm. Ensure all students, staff, and stakeholders know how your school plan to respond to bullying and harassment.

## Intervening to Address Bullying

### A. Responsibilities of CPS Employees and Contractors

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 ensure 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 can be made to any CPS employee or contractor in person, by completing Attachment A and submitting it to the Principal/Designee, by calling the CPS Parent Support Center at (773) 553-3772, or by emailing BullyingReport@cps.edu. Anonymous reports will be accepted by the Principal/Designee. No disciplinary action will be taken on the sole basis of an anonymous report.

### C. Steps for Investigating Bullying Reports

- 1) **Ensure safety.** The Principal or their designee will provide immediate support to any targeted student(s) to ensure safety. If there are overt or implied risks of safety, follow the steps in the CPS Crisis Manual, including immediately

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notifying the CPS Student Safety Center and the school's Network office. Alleged behaviors targeted at sex, gender, sexual orientation, gender identity, or gender expression should be reported immediately to the Office of Student Protections and Title IX for assistance and support: (773) 535-4400.

- 2) **Notify parents/guardians of all involved students.** Within one school day of receipt of a bullying report, the Principal/Designee shall report to the parent/legal guardian of all involved students, via telephone, personal conference and/or in writing, the occurrence of any alleged incident of bullying, and shall document these notifications in the District student information system.
  - a) Notifications should be made privately to students directly involved and their parent/legal guardians.
  - b) Additionally, when incidents have a larger impact on the school community, the Principal/Designee shall provide clear communication to students, staff and parents to re-inforce school-wide expectations and a climate of respect and inclusion.
- 3) **Document all allegations of bullying.** Within two school days of receiving a report of bullying, the Principal/Designee will document the allegation in the District student information system as a general incident report and document all notifications made.
- 4) **Conduct an investigation.** The Principal and/or a designee, who is knowledgeable about bullying prevention and intervention, shall perform the investigation. For guidance, contact the Law Department at (773) 553-1700.

Investigation of reported bullying shall be initiated within 5 school days of receipt of a report, documented within the incident report in the District student information system, and completed within 10 school days, unless the Principal grants in writing an additional 5-day extension due to extenuating circumstances. The Principal/Designee shall document the extension in the investigation report and shall notify the parties involved.

The investigation shall include:

- a) Identifying all involved parties, including the student(s) alleged to have engaged in the bullying behaviors, alleged target(s) and bystander(s), as well as any adult who witnessed the incident or may have reliable information about it.
  - b) Conducting an individual interview in a private setting with all involved parties. The alleged target should never be interviewed in public or with the student(s) alleged to have engaged in bullying.
  - c) Determining how often the conduct occurred, any past incident or continuing pattern of behavior, and the impact of the behaviors on the targeted student's education.
  - d) Assessing the individual and school-wide effects of the incident relating to safety.
- 5) **Make a determination whether allegations of bullying are substantiated or not and document determination.** The Principal/Designee shall consider whether the four elements of the bullying definition are met, or if all four elements of bullying are not present, whether the behavior qualifies as another inappropriate behavior listed in the SCC. When the investigation is complete, the Principal/Designee shall ensure the investigation and findings (whether







## Consequences for CPS Employees and Contractors

When it is determined that an employee or contractor was aware that bullying and Bias-based and discriminatory behavior was taking place but failed to report it, the employee/contractor will be considered to have violated this Policy. The Principal shall consider employee discipline for such violations, making reference to any applicable collective bargaining agreement. Remedies for offending contractors should be imposed according to their Board contracts.

## Notice and Dissemination of Requirements

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 effectively to stop them;
- 2) Information about the complex interaction and power differential that can take place between and among a perpetrator, target, and witness to the bullying and Bias-based and discriminatory behavior;
- 3) Research findings on bullying, including information about specific categories of students who have been shown to be particularly at risk, and any specific interventions that may be particularly effective for addressing Bias-based bullying; and
- 4) Information about Internet safety issues as they relate to cyberbullying.

### Student Internet Safety Education

In accordance with the Board's Internet Safety Policy (<http://policy.cps.edu/download.aspx?ID=261>), each school shall incorporate into the school curriculum a component on Internet safety to be taught at least once each school year to all students. The Chief Officer of Teaching and Learning or designee, shall determine the scope and duration of this unit of instruction and topics covered. At a minimum, the unit of instruction shall address: (a) safety on the Internet; (b) appropriate behavior while online, on social media platforms and in chat rooms; and (c) cyberbullying awareness and response. The age-appropriate unit of instruction may be incorporated into the current courses of study regularly taught. Schools shall satisfy the documentation requirements established by the Chief Officer of Teaching and Learning or designee to ensure compliance with this curricular requirement.

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# 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](mailto: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: \_\_\_\_\_



## additional resources

### PROCEDURAL SAFEGUARDS FOR DISCIPLINE OF STUDENTS WITH DISABILITIES/IMPAIRMENTS<sup>40</sup>

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 with a written copy of the Notice of Procedural Safeguards.

<sup>40</sup> All procedural safeguards contained in the SCC and this Appendix are equally applicable to those students with S504 plans.

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.



# REFERENCE GUIDE FOR GROUPS 4, 5 AND 6 BEHAVIORS INVOLVING DANGEROUS OBJECTS, WEAPONS OR LOOK-ALIKE WEAPONS

## SECTIONS 4-13 AND 5-11

If a student simply has any of these objects in his or her possession, but does not use them, (s)he should be recorded to have violated Section 4-13 of the SCC for a first-time violation or 5-11 of the SCC for a second or repeated violation. *If a student uses, or intends to use, any of these objects to inflict harm on someone, the student should be recorded to have violated Section 6-1.*

### Knives, including but not limited to:

- Steak knife or other kitchen knives
- Pen knives/Pocket knives
- Hunting knives
- Swiss Army knife
- Box cutters
- Razors

### Tools, including but not limited to:

- Hammers
- Screwdrivers
- Saws
- Crowbars/Metal pipes
- Other objects commonly used for construction or household repair

### Other Objects, including but not limited to:

- Mace/Pepper spray
- Live ammunition/Live bullets
- Broken bottles or other pieces of glass
- Wooden sticks/boards

## SECTION 6-1

If a student has any of these objects in his or her possession or uses any of these objects, (s)he should be recorded to have violated Section 6-1 of the SCC.

### Firearms - these include:

- Pistol
- Revolver
- Other firearms
- Any part or portion of a machine gun or rifle

### Knives - these include only the following types of knives:

- Switchblade knives (open automatically by hand pressure applied to a button, spring or other device in the handle of the knife)
- Ballistic knives (operated by a coil spring, elastic material, or an air or gas pump)

**Explosive Devices/Gases - these include:**

- Tear gas guns
- Projector bombs
- Noxious liquid gas
- Grenades
- Other explosive substances

**Other Objects - these include:**

- Blackjack
- Slingshot
- Sand club
- Sandbag
- Metal/brass knuckles
- Throwing stars
- Tasers/stun guns

**“Look-Alike” Firearms - these include:**

- B.B. guns
- Air guns
- Other objects, including “toys” or replicas that reasonably resemble real firearms

**6-1 SPECIAL CONSIDERATION**

If a student simply has any of these objects, or any other similar object in their possession, they should not be recorded to have violated of the SCC. *If a student uses, or intends to use, any of these objects to inflict bodily harm on someone, the student should be recorded to have violated Section 6-1.*

**Sporting Equipment - these include but are not limited to:**

- Baseball bats
- Golf clubs

**Personal Grooming Products - these include but are not limited to:**

- Nail clippers/files
- Combs with sharp handles
- Tweezers

**School Supplies - these include but are not limited to:**

- Scissors
- Laser pointers
- Pens/Pencils
- Rulers
- Padlocks/Combination locks
- Other objects commonly used for educational purposes



# 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.<sup>41</sup>
- 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 Student Adjudication review for a student in 6<sup>th</sup> through 12<sup>th</sup> 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”) while a request for an expulsion hearing is pending without being given the opportunity for a hearing before an independent hearing officer.
- Requests for emergency assignment must be approved, facilitated, and implemented by the CEO’s designee. The CEO’s designee may request additional information when considering requests for emergency assignment.
- General education students may be placed in an interim alternative education setting if their presence at the home school poses a continuing danger to people or property, or an ongoing threat of disruption to the academic process. The student will be assigned to the Safe Schools Alternative Program until the expulsion final determination is issued.
- Students with disabilities may be placed in an interim alternative educational setting for a maximum of 45 school days, even in instances where the student’s misconduct is ultimately determined to be a manifestation of his or her disability. Students with disabilities may be referred for emergency assignment when in possession of weapons or drugs, or for inflicting serious bodily injury on another person while on school grounds or at a school-sponsored event. The parent or legal guardian may request a due process hearing to challenge the emergency assignment.

<sup>41</sup> This definition does not apply to exclusion of a student from school for failure to comply with immunization requirements or temporary emergency placement.

## Expulsion Hearing Procedures

- The Law Department will schedule expulsion hearings and send parents/guardians a notice letter. The notice will provide a description of the incident, the date of the incident, the SCC inappropriate behavior code(s), and the place, time and date for the expulsion hearing. The notice will be sent by registered or certified mail, or by personal delivery.
- Before the hearing, school principals are responsible for assisting the Law Department with case preparation by identifying witnesses and relevant documents, and reviewing all documentation regarding the incident to ensure it is complete, accurate, and properly written.
- The hearing will be conducted before an independent hearing officer. The Chief Executive Officer's representatives will call witnesses to testify and introduce documents regarding the incident. The student may also call witnesses to testify and introduce documents regarding the incident.

## Expulsion Final Determination

- After the hearing, the hearing officer will make a recommendation for intervention or discipline, up to expulsion for a set term of two calendar years.
- The hearing officer's recommendation may be modified on a case-by-case basis by the Chief Executive Officer or designee.
- 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 expulsion but who fails to successfully complete the program shall be expelled.
- During a term of expulsion, students may not participate in extracurricular activities or school-sponsored events, with the exception of activities or events sponsored by the student's alternative program.

## Transition when Expulsion Complete

- When a term of expulsion is completed, the student will be transferred to their home school.
- For students attending the Safe Schools Alternative Program, a transition meeting, including the student, parents/guardians, alternative school staff members, and home school staff members, will be scheduled to discuss the student's transition back into the home school environment.



notice to parents and students  
regarding board policies

## NOTICE TO PARENTS AND STUDENTS REGARDING BOARD POLICIES

### NON-DISCRIMINATION STATEMENT

It is the policy of the Board to prohibit unlawful discrimination, harassment, and retaliation on the basis of any protected category by the Constitution of the United States, the Constitution of the State of Illinois, and applicable federal, state or local laws or ordinances, including but not limited to Title VI of the Civil Rights Act of 1964 (Title VI), Title VII of the Civil Rights Act of 1964 (Title VII), Age Discrimination in Employment Act of 1967 (ADEA), Title IX of the Education Amendments of 1972 (Title IX), the Americans with Disabilities Act (ADA), the Individuals with Disabilities Education Act (IDEA), and Section 504 of the Rehabilitation Act of 1973 (Section 504), specifically, but not limited to, discrimination, harassment, or retaliation on the basis of 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, 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 in the educational programs or activities the Board operates.

Concerns or inquiries regarding sex discrimination, harassment or retaliation can be made to the Board's Title IX Coordinator in the Office of Student Protections and Title IX or the U.S. Department of Education Office for Civil Rights (OCR).

For incidents involving student victims, please see below for specific contact information:

- Office of Student Protections and Title IX (OSP) – (773) 535-4400 (student-to-student) (inquiries regarding sports equity should be directed to [ospcompliance@cps.edu](mailto:ospcompliance@cps.edu))
- Office of Inspector General (OIG) – 833-TELL-CPS ((833) 835-5277) (adult-to-student)
- U.S. Department of Education Office for Civil Rights (OCR) at (312) 730-1560 or [ocr.chicago@ed.gov](mailto:ocr.chicago@ed.gov)

For incidents involving adult victims, please see below for specific contact information:

- Equal Opportunity Compliance Office (EOCO) Administrator (773) 553-1013 or – [eoco@cps.edu](mailto:eoco@cps.edu), 42 W. Madison, 3rd Floor, Chicago, IL 60602; and/or
- OCR at,(312) 730-1560 or [ocr.chicago@ed.gov](mailto:ocr.chicago@ed.gov)

Concerns or inquiries regarding discrimination, harassment or retaliation



Involving student victims on the basis of disability should be made to:

- District Manager of Section 504 Compliance – [Section504@cps.edu](mailto:Section504@cps.edu)

Concerns or inquiries regarding discrimination, harassment or retaliation on the basis of any other protected category listed above should be made to:

- Office of Student Protections and Title IX at 773-535-4400 or [civil-rights@cps.edu](mailto:civil-rights@cps.edu) (student victims)
- Equal Opportunity Compliance Office (EOCO) at (773) 553-1013 or [eoco@cps.edu](mailto:eoco@cps.edu) (adult complainants)

For further information see the Board's *Comprehensive Non-Discrimination, Harassment, and Retaliation Policy*.

### Student Records

Under the Federal Family Educational Rights and Privacy Act ("FERPA") and the Illinois School Student Records Act ("ISSRA"), students and their parents have certain rights with respect to the student's educational records. These rights transfer solely to the student who has reached the age of 18, graduated from secondary school, married or entered into military service, whichever comes first.

### Notice of Student Record Retention and Disposal

The law requires the Board of Education of the City of Chicago (the "Board") to maintain educational records, which includes both "permanent records" and "temporary records." A student's permanent record contains the student's name, place and date of birth, address, transcript, parent(s) name(s) and address(es), attendance records, and other information mandated by the Illinois State Board of Education. The student's temporary records include all school-related student information not contained in the permanent record. Student records may include both paper and electronic records.

According to Board policy, the retention periods for student records are as follows:

Student Grade Level	Record Category	Minimum Record Retention Period	Destruction Authorized When
Elementary and High School	Permanent Student Records	82 years after the student's date of birth	Student Age - 83
Elementary and High School	Temporary Special Education Records	27 years after the student's date of birth	Student Age - 28
High School	Temporary Student Records	27 years after the student's date of birth	Student Age - 28
Elementary	Temporary Student Records	20 years after the student's date of birth	Student Age - 21

The Board will follow the above retention schedule and will destroy these student records in the natural course of business when the records are eligible for disposal. Notice of the record disposal schedule is provided through annual newspaper publication. To review student records after the student has transferred, graduated or withdrawn from school, parents and students may contact the student's former school or Former Student Records (773-535-4110). For additional information, refer to the Board's **Policy on Student Records Management and Retention** at <http://policy.cps.edu/download.aspx?ID=84>.

### Right to Review and Challenge Student Records

Parents and students, whether emancipated or not, have the right to inspect and copy all of the student's educational records maintained by the school or the Board unless the parent is prohibited by an order of protection from obtaining those records within 10 business days after the day the school receives a request for access. Parents of eligible students should submit to the school principal a written request that identifies the records they wish to inspect. The school official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

When a student is transferring to a school outside the Chicago Public Schools district, parents have the right to inspect and copy and to challenge their children's temporary and permanent student records prior to the time records are transferred to the out-of-district school.

Schools may not charge to search for or retrieve information, though schools may charge a reasonable fee to copy records. *No parent or student shall be denied a copy of the student records due to their inability to pay.*

Parents have the right to request that a school corrects recorded information (with the exception of academic grades) that they believe is inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA and ISSRA. Parents or eligible students who wish to ask the school to amend a record should write the school principal, clearly identify the part of the record they want changed, and specify why it should be changed. If the school decides not to amend the record as requested by the parent or eligible student, the school will notify the parent or eligible student of the decision and of their right to a formal hearing by submitting a written request to the Board. Parents should contact the Executive Director Policy and Procedures, Chicago Public Schools, 1 N. Dearborn Street, 9th Floor, Chicago, IL 60602, for a formal hearing. After the hearing, if the Board decides not to amend the record, the parent has the right to place a statement with the records commenting on the contested information in the record. The parent may appeal the Board's decision by contacting the Regional Superintendent of the Illinois State Board of Education (ISBE). For more information on how to review and/or challenge a student's record, review the Board's policy on "Parent and Student Rights of Access to and Confidentiality of Student Records" (<http://policy.cps.edu/download.aspx?ID=122>).



## Release of Student Records

Parents and eligible students have the right to provide written consent before the school discloses personally identifiable information from the student’s education records, except to the extent that FERPA authorizes disclosure without consent. Generally, schools may not release student records information without written permission from the parent. However, the law allows the disclosure of records, without consent, to select parties, including:

- School district employees or officials<sup>1</sup> who have legitimate educational interest<sup>2</sup> in the student;
- Officials, upon request, of another school district or institutions of post-secondary education in which a student seeks or intends to enroll, or is already enrolled if the disclosure is for purposes of the student’s enrollment or transfer;
- Certain government officials as required by State or Federal law;
- Persons conducting studies, pursuant to a written agreement with the Board;
- Individuals who have obtained a court order regarding the records, provided the parents are notified;
- Persons who need the information in light of a health or safety emergency; and
- State and local authorities in the juvenile justice system.

A school may also disclose, without consent, certain “Directory Information” such as a student’s name, address, telephone number, date and place of birth, and awards and dates of attendance, provided that prior to the release of the Directory Information the parents are given the opportunity to opt out of the release of this information, in which case the information will not be released.

Please note that no person may condition the granting or withholding of any right, privilege or benefit or make as a condition of employment, credit or insurance the securing by any individual of any information from a student’s temporary record that the individual may obtain through the exercise of any right secured under ISSRA.

<sup>1</sup> A school official is a person employed by the school as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel) or a person serving on the school board. School officials can include contractors, consultants, volunteers or other parties under the Board’s direct control with whom the Board has agreed to outsource certain institutional services or functions, and who have a legitimate educational interest in the specific education records disclosed. The Board’s agreement with these contractors, consultants, volunteers or other parties will specifically outline the legitimate educational interest and which educational records are disclosed.

<sup>2</sup> A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

## Release of Directory Information

The Chicago Public Schools may disclose directory information about students to specific parties through written requests. Directory information is information that is generally not considered harmful or an invasion of privacy if released. CPS has designated the following as directory information: student's name; home address; home telephone number; date of birth; grade level; and most recent CPS school attended. Specific parties who may request this information include, but are not limited to external organizations delivering services to students such as Boys and Girls Clubs, YMCA, PTA, City sister agencies, and providers of programming that enriches a student's academic and/or social and emotional learning.

If a parent or student does not wish to have the student's directory information released, they must submit a written request to the school main office. The request to opt out must include the student's name, ID and school. For convenience, the Board has developed an opt-out form which is available at all Chicago Public Schools and online at <http://cps.edu/B2S>. **Parents and students must submit their opt-out request by December 1st annually if they wish to opt out of the releasing directory information.** For more information on opting out of the release of directory information, please review the Board's "Parent and Student Rights of Access to and Confidentiality of Student Records Policy" (<http://policy.cps.edu/download.aspx?ID=122>).

## Release of Records to Recruiters and Institutions of Higher Learning

Chicago Public Schools provides the names, addresses and telephone numbers of all 11<sup>th</sup> and 12<sup>th</sup> grade students to military recruiters or institutions of higher learning upon their request. Parents and students, regardless of whether the student is emancipated or not, may request that their contact information not be disclosed as described below.

If a parent or student does not wish to have the student's contact information released to military recruiters or institutions of higher education, they must submit a written request to the school main office. The request to opt out must include the student's name, ID number and school. For convenience, the Board has developed an opt-out form which is available at all Chicago Public Schools high schools. **Parents and students must submit their opt-out request by December 1<sup>st</sup> if they wish to opt out of releasing student records to recruiters and/or institutions of higher learning.** For more information on opting out of the release of contact information to recruiters, please review the Board's "Recruiter Access" Policy (<http://policy.cps.edu/download.aspx?ID=151>) and the Board's "Parent and Student Rights of Access to and Confidentiality of Student Records Policy" (<http://policy.cps.edu/download.aspx?ID=122>).

## Release of Records for FAFSA Completion Project and National Student Clearinghouse

The Board releases student Directory Information on all 12th grade students to:

- 1) The Illinois Student Assistance Commission (ISAC) to assist students with college financing opportunities by completing the Free Application for Federal Student Aid (FAFSA) and to determine eligibility for ISAC-related scholarships. The FAFSA is required for students to receive many forms of college financial aid; ISAC and CPS collaborate to support family FAFSA completion; and
- 2) The National Student Clearinghouse, an organization which provides data to CPS on students' postsecondary enrollment and retention. The National Student Clearinghouse helps CPS to understand and improve the college readiness and success of CPS graduates.

The Directory Information to be released is: the student's name, date of birth and high school name. If a parent or student does not wish to have the student's Directory Information released to ISAC for the FAFSA Completion Project and scholarships or the National Student Clearinghouse for the above mentioned purposes, they must submit a written request to the attention of the Office of School Counseling and Postsecondary Advising, Chicago Public Schools, 42 West Madison Street, 3rd Floor, Chicago, IL 60602, 773/553-2108. The request to opt out must include the student's name, ID number and school. For convenience, the Board has developed an opt-out form which is available at all Chicago Public Schools high schools. **Parents and students must submit their opt out request to their high school counselor by October 1<sup>st</sup> if they wish to opt out of releasing student Directory Information for the FAFSA Completion Project and/or the National Student Clearinghouse.**

### Filing of Complaints

Parents or students who are at least 18 years of age have the right to file a complaint with the U.S. Department of Education if they believe the school district has failed to comply with the requirements of FERPA by contacting the Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, D.C. 20202-5901.

### Annual Notice to Parents about Educational Technology Vendors Under the Student Online Personal Protection Act (SOPPA)

Illinois school districts may have agreements with educational technology vendors for educational purposes such as providing personalized learning and innovative educational technologies.

Under the Illinois Student Online Personal Protection Act, or SOPPA (105 ILCS 85/), educational technology vendors that operate Internet websites, online services, online applications, or mobile applications that are designed, marketed, and primarily used for K-12 school purposes are referred to in SOPPA as *operators*. SOPPA is intended to ensure that student data collected by operators is protected, and it requires those educational technology vendors, as well as school districts and the Illinois State Board of Education, to protect online student data.

Per the Board’s SOPPA policy and the district’s SOPPA guidelines, CPS may share limited student data with operators for their online sites, services, and/or applications. Under SOPPA, operators are prohibited from selling, renting, or leasing a student’s information or from engaging in any advertising, including targeted advertising, using a student’s information.

In general terms, operators will be limited to only the student data information needed for the educational technology such as student name, email, school, class, grade. Operators who request additional student data beyond class rostering data will be required to provide additional parent notice or obtain parent consent to do so.

If you would like to learn more about the Student Online Personal Protection Act, please see the CPS SOPPA website at [www.cps.edu/about/policies/student-online-personal-protection-act/](http://www.cps.edu/about/policies/student-online-personal-protection-act/).

### **Student Interventions**

The District maintains a policy on the use of momentary physical interventions to maintain the safety of students and staff and to remove disruptive students from the classroom (<http://policy.cps.edu/download.aspx?ID=218>).

The District also maintains a policy on the use of, Physical Restraints and Isolated Time-Outs with Students with Disabilities (<http://policy.cps.edu/download.aspx?ID=21>).

### **Notice of Search and Seizure Policy**

Any Person who enters onto the property of the Board of Education of the City of Chicago may be subject to a search in accordance with the Board’s Search and Seizure Policy, (<http://policy.cps.edu/download.aspx?ID=190>).

### **Student Research Surveys and the Protection of Pupil Rights Amendment**

The District maintains a Research Study and Data Policy to address how individuals may conduct student research activities including surveys in the Chicago Public Schools (<http://policy.cps.edu/download.aspx?ID=178>). This policy has been established to comply with the requirements of the Federal Pupil Protection Rights Act (“PPRA”).

The Protection of Pupil Rights Amendment (PPRA) provides parents of elementary and secondary students with certain rights regarding the conduct of surveys, collection and use of information for marketing purposes, and certain physical exams.

Parent consent is needed prior to students being required to submit to a survey that concerns one or more of the following protected areas (“protected information survey”):

1. Political affiliations or beliefs of the student or student’s parent;





## Administration of Medication and Chronic Conditions Management Policies

The District maintains policies and guidelines on the administration of medication and management of chronic conditions during the school day. These policies apply to all students in all schools regardless of whether the school has any current students identified with asthma, diabetes, allergies, or seizures. In addition, these policies outline the forms required for the administration or self-administration of medication during the school day. Forms can be found on the Office of Student Health & Wellness (“OSHW”) website.

Students and parents/guardians are encouraged to work with their school nurse to ensure that the appropriate forms are submitted and that the student’s health needs are supported during the school day. Students and parents/guardians can also contact the Healthy CPS Hotline (773-553-KIDS) for help connecting to public benefits like Medicaid or SNAP, or to connect with a medical home.

### Consent to Bill Medicaid Notice

CPS provides health evaluations and related health services to students **at no cost to parents**. CPS is able to receive federal Medicaid reimbursement to offset some of the costs of providing some health services. In order to receive Medicaid reimbursements, a parent/guardian must consent to allow CPS to share his/her child’s health information with the State of Illinois for billing purposes. The State must keep each student’s information confidential and may only use it for the purpose of determining payments to CPS. When an IEP is finalized, CPS asks parents/guardians if they consent to allow CPS to seek Medicaid reimbursement for eligible health services – at no cost to the family. Whether or not CPS is reimbursed has no impact on the family’s insurance or benefits programs. Further, students will continue to receive the health services described in their IEPs regardless of whether their parents/guardians provide consent to bill Medicaid. The parents/guardians’ consent is only required once while the child continues to receive IEP services, including health services. This Notice is to inform the parents/guardians that CPS will continue to follow their decision regarding consent to bill Medicaid until the parents/guardians notify CPS of a change.

### CPS Policy Website

Copies of all Board Policies can be obtained on the CPS Website at <http://policy.cps.edu/Policies.aspx> or by writing to the Board Secretary, Chicago Board of Education, 1 North Dearborn Street, 9<sup>th</sup> Floor, Chicago, Illinois 60602.



# referral resources

## IN AN EMERGENCY OR CRISIS

For assistance in an emergency situation	Illinois Department of Children and Family Services (DCFS)
Dial 911	800-25-ABUSE (800-252-2873) Call if you suspect that a child has been harmed or is at risk of being harmed by abuse or neglect.
Chicago Public Schools	CARES Line (24 hour) Screening, Assessment, Support, and Services (SASS)
Crisis Hotline: 773-553-1792 Student Safety Center: 773-553-3335	1-800-345-9049 Contact if the child is a risk to themselves or others, having a mental health crisis, or if you would like a referral to services for children, youth, and families.

## DOMESTIC VIOLENCE AND SEXUAL ABUSE RESOURCES

Chicago Domestic Violence Help Line	National Domestic Violence Hotline
1-877-863-6338 Information, Options, Counseling, Legal and Shelter Services	1-800-799-SAFE (7233) 1-800-787-3224 (hearing impaired line)
YWCA Metropolitan Chicago	Resilience/Rape Victim Advocates
312-733-2102 Sexual violence support services, including counseling and advocacy. Multiple South Side locations.	312-443-9603 Free trauma therapy, medical, and legal advocacy related to sexual violence in the Loop, Austin, and Ravenswood.
National Sexual Assault Hotline	Chicago Rape Crisis Hotline
1-800-656-HOPE (4673)	1-888-293-2080
Mujeres Latinas en Accion	KAN-WIN
773-890-7676 Bilingual/bicultural individual and group therapy for domestic and sexual violence in Pilsen and Brighton Park.	773-583-0880 Provides domestic and sexual violence support and advocacy focused on Asian American survivors. Confidential location.
Between Friends	Apna Ghar
1-800-603-4357 Domestic violence multilingual counseling and support services, teen relationship education, and court advocacy. Confidential location.	773-334-4663 Sexual and domestic violence services focused on crisis response, counseling, and advocacy for immigrants. Uptown and Skokie.

## MENTAL HEALTH & WELLNESS RESOURCES

National Suicide Prevention Lifeline	National Runaway Safeline
1-800-273-TALK (8255) (press 2 for Spanish)	1-800-RUNAWAY 1-800-786-2929
STOP-IT Now	Youth Outreach Services
1-877-606-3158 24-hour Human Trafficking Hotline	773-777-7112 Behavioral health services for youth, including for problematic sexual behavior.
NAMI of Greater Chicago's Mental Health	Illinois Mental Health Collaborative
Helpline: 312-563-0445 1-800-950-NAMI (6264) National Alliance on Mental Illness (NAMI) HelpLine provides information and referral services.	1-866-359-7953, TTY: 1-866-880-4459 (Press 2 for the Warm line to talk with someone who will listen during a difficult time)
Metropolitan Family Services	Ada S. McKinley Community Services
312-986-4000 Provides support to children and adults with chronic mental illness.	773-918-6100 Provides outpatient care for trauma and gang related violence, or for personal trauma related to physical, sexual or emotional abuse.
Lutheran Social Services of Illinois (LSSI)	Association House
773-282-7800 Outpatient and residential counseling, mental health and alcohol/drug treatment services for children and families.	773-772-7170 Mental health services, substance abuse prevention and treatment, and 24 hour supervised residential living, rehabilitation.
Please Stay	
<a href="http://www.pleasestay.us">www.pleasestay.us</a> An interactive resource to support mental health created by Find Your Anchor and Born This Way Foundation.	
LEGAL AID & STUDENT DISCIPLINE SUPPORT RESOURCES	
Equip for Equality Chicago	Legal Aid Chicago
1-800-537-2632 Equip for Equality is an independent agency whose primary goal is to protect the civil and human rights of people with disabilities, including legal services for families with children with special education services who experience exclusionary school discipline and criminal justice involvement.	1-312-341-1070 Legal Aid Chicago provides free civil legal representation to residents of Chicago and Cook County including special education, school discipline, criminal justice involvement and a variety of other legal issues that impact the housing, immigration, employment, and economic stability of children and families.

<b>Chicago Lawyers' Committee for Civil Rights &amp; CARPLS Hotline</b>	<b>Stand Up For Each Other! (SUFEQ) Chicago</b>
1-312-738-9200 (CARPLS Hotline) Chicago Lawyers' Committee is a civil rights organization that offers assistance in the areas of community law, education equity and school discipline.	1-773-800-0338 SUFEQ Chicago provides free information and services for families of K-12 students facing suspension, bullying, or exclusion from school. Law students operate a hotline, supervised by attorneys in the Civitas ChildLaw Clinic.
<b>SUBSTANCE ABUSE RESOURCES</b>	
<b>SAMHSA's National Helpline</b>	<b>Human Resource Development Institute (HRDI)</b>
1-800-662-HELP (4357) <a href="http://findtreatment.SAMHSA.gov">http://findtreatment.SAMHSA.gov</a> 24-hour information and referral assistance to local treatment facilities, support groups, and community-based organizations for both substance abuse and mental health services.	773-291-2500 Child and adolescent outpatient services for substance abuse services to children between 12-17 years. Inpatient substance abuse treatment facility for adolescent girls.
<b>Gads Hill Center</b>	<b>Gateway Foundation</b>
312-226-0963 Group and individual counseling for substance use, gang involvement, anxiety, etc.	773-826-1916 Outpatient programs, residential programs, and aftercare for youth drug and alcohol treatment.
<b>South East Alcohol &amp; Drug Abuse Center (SEADAC)</b>	<b>Narcotics Anonymous</b>
773-731-9100 Clinical outpatient treatment and counseling for adult and youth alcohol and drug abuse.	1-888-GET-HOPE (438-4673) (Hopeline) <a href="http://www.na.org/meetingsearch">www.na.org/meetingsearch</a>
<b>Gay, Lesbian, Bisexual, Transgender Support Resources</b>	
<b>GLBT National Help Center</b>	<b>Trevor Project Crisis Line</b>
1-888-843-4564 <a href="http://www.glnh.org">www.glnh.org</a>	1-866-4-U-TREVOR (488-7386) <a href="http://www.theTrevorProject.org">www.theTrevorProject.org</a>
<b>GLBT National Youth Talkline</b>	<b>Broadway Youth Center</b>
1-800-246-PRIDE (1-800-246-7743) <a href="http://www.glnh.org/talkline">www.glnh.org/talkline</a>	773-388-1600 A safe haven for LGBTQ youth. Health clinic, drop-in services, counseling and resource advocacy in Uptown.
<b>Chicago: Center on Halsted LGBTQ Violence Resource Line</b>	<b>Illinois Safe Schools Alliance</b>
773-871-CARE (2273) Violence Resource Line assists LGBTQH people exposed to violence.	312-533-2624 Promotes healthy development for LGBTQ youth in IL schools through advocacy, education and youth organizing.

[www.MentalHealthFirstAid.org](http://www.MentalHealthFirstAid.org)







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