

requirements and guidelines

GENERAL REQUIREMENTS

The SCC applies to students at all times during the school day, while on school property, while traveling to and from school, at any school-related event, on any vehicle funded by CPS (such as a school bus), and while using the CPS network.¹

The SCC also applies to student behavior outside of school if: (1) a student engages in a Group 5 or 6 behavior, and (2) the behavior disrupts or may disrupt the educational process or orderly operation of the school. This includes seriously inappropriate behavior on social networking websites that disrupts or may disrupt the educational process or orderly operation of the school.

To address student 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 to, 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.

¹ The CPS network means systems, computer resources, and infrastructure used to transmit, store, and review data or communicate over an electronic medium and includes, but is not limited to, the E-mail system(s), collaboration systems, databases, hardware, telecommunication devices, information systems, internet service, distance learning tools, the CPS intranet system or CPS mainframe systems, whether owned or contracted by the Board or otherwise used for school purposes. Students are subject to the requirements in the Policy on Student Acceptable Use of the CPS Network (<http://policy.cps.edu/download.aspx?ID=203>).

- 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 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 behavior they may have exhibited, the applicable SCC behavior category, and the range of possible interventions and consequences.
 - Allow the student to respond and explain their actions. 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 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 or staff harmed, and the rights of the student engaged in the behavior, 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.

- f) 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 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 behaviors addressed by the SCC. Hand-deliver to the parents/guardians, mail a copy of the Pre-K to Grade 2 Behavior Letter or misconduct report to the student's home address, or email the 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 Office of Social and Emotional Learning Student Discipline Support Team at (773) 553-2249, studentdiscipline@cps.edu, or the Network Chief of Schools ("Network Chief") or their designee (contact information available at www.cps.edu/Networks). For District schools that do not have Network oversight, appeals may be made to the Office of Network Support or designee. The Network Chief or designee will review the appeal and determine:
 - whether any factual errors were made in the principal's investigation,
 - whether the documentation of the student's behavior aligns to the recorded SCC behavior category,
 - whether prior interventions were attempted when appropriate,
 - whether the length of the suspension was commensurate with the student's inappropriate behavior,
 - whether appropriate due process was given (see 5(a)-(e) on page 4), 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's designee. The decision

of the CEO or designee regarding the appeal shall be final. The start of a student's expulsion is not delayed by the parents/guardians' appeal.

10) Restore the student's participation in the school community.

- a) If the student received an out-of-school suspension for three (3) or more days, the principal or designee must develop a plan to support the student's transition back into the school community, including strategies for preventing future behavior incidents, restoring relationships, and addressing the student's ongoing social, emotional, and academic needs, with input from the student and parents/guardians. For more information, see *Guidelines for Effective Discipline*.
- b) When a student is set to return from an expulsion and has been attending the Safe Schools Alternative Program, school administrators must attend a transition meeting, which should include the student, parents/guardians, and alternative school staff members, to discuss the student's return and prepare for a successful transition.

SUSPENSION GUIDELINES

Students in grades pre-kindergarten through second may NOT be assigned in-school or out-of-school suspensions. If a student age 6 or older in 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

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 continuing 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' continuing 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 shall consult with district officials from the Office of School Safety and Security to assess the alleged behavior and student needs using the below criteria to determine whether CPD must be notified, including the manner of notification. All CPD notifications should be recorded in Aspen within 24 hours. School and district officials should consider factors including:
 - Whether the behavior is related to a student’s disability as outlined in their IEP/504. Schools can contact their OSD District Representative for additional support.
 - The severity of the alleged behavior and the degree of harm to people in

- the school community, including students and CPS staff members,
 - Whether a person was physically injured as a result of the student's conduct,
 - The student's age, developmental needs, or known trauma history.
- 4) In the event that police must be notified, administrators shall make all reasonable efforts to contact parents/guardians prior to 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. All parent/guardian contact attempts must be recorded in Aspen.
 - 5) The school shall follow the Requirements for Police Interactions listed below for any police interaction with students on school grounds.
 - 6) The school principal or designee will use the SCC to determine the appropriate intervention(s) and/or consequence(s) to address a student's behavior.

Only school administrators and designees should follow these notification procedures. In the event that school staff who are not administrators (or designees) should need to notify the police or file a complaint against a student for an incident that occurred on school property, during school hours, or at a school-related function, staff should inform the school principal to ensure the steps outlined above are completed prior to CPD notification.

In the event that a non-CPS employee (parent, caregiver, community member) should report any allegations of illegal behaviors to school administrators, school administrators shall follow steps outlined in steps 1-3 (non-emergency situations). School administrators shall not file a law enforcement agency complaint at the behest of the non-CPS employee.

Sexual Misconduct

If school administrators are made aware of a criminal act of sexual misconduct that is in progress, they must contact CPD. When made aware of an allegation of sexual misconduct, including but not limited to, sexual harassment, sexual bullying, sexual assault, dating violence, or discrimination related to sex, sexual orientation, gender, or gender expression, contact the Office of Student Protections and Title IX ("OSP") to assist in assessing whether police notification is needed at the OSP Mainline: (773) 535-4400. DCFS mandatory reporter obligations are separate from reporting to CPD and must always be followed; please consult the Policy on Child Abuse and Neglect if needed.

Requirements for Police Interactions Resulting From a Police Notification

Once school staff members contact CPD, the responding police officers ultimately will determine whether or not to investigate, arrest, and/or take any other steps in response. School principals and staff do not have the authority to decide whether a student will be arrested. Moreover, responding police officers do not have the authority to decide whether a student will receive interventions or consequences at school. In the event that CPD must interact with students as a result of a police notification, school administrators must follow these requirements and

furnish these written guidelines to the student(s) prior to any interactions with law enforcement:

- **Student Rights**

- Students have the right to refuse to speak to CPD
- Students can refuse to give consent to be searched by the police, including electronic devices. This may not stop the search.
- Students shall not be left alone with CPD at any time
- Students shall not be removed from the classroom or common areas of the school by CPD unless an emergency, as defined above, exists.

- **Questioning/Interviews**

- If CPD requests to interview or question a student at the school, contact the Law Department.
- CPS administrators must make all reasonable efforts to ensure that the student's parent or guardian is present during the questioning or, if the parent or guardian is not present, ensure that school personnel, including, but not limited to, a school social worker, a school psychologist, a school nurse, a school guidance counselor, or any other mental health professional, are present during the questioning. The staff member(s) present during police interviews must be someone who was not directly involved in the incident.
- CPS administrators must make reasonable efforts to ensure that a law enforcement officer trained in promoting safe interactions and communications with youth is present during the questioning.

- **Arrests on School Grounds**

- School administrators, district officials, and CPD should avoid student arrests on school grounds whenever possible. If a responding police officer determines that arrest is necessary, they should coordinate with the principal or designee to find a private location out of sight and sound of other students, to the extent practicable and absent exigent circumstances.
- Should a student be arrested on school grounds, a school administrator or designee is required to accompany the student and arresting officer to the police station or follow. If the parent/guardian is not present, the principal must request the arresting officer that a member of the school staff accompany the student. If such permission is denied, a member of the staff must follow immediately to the place where the student is taken. The staff member who accompanies or follows the student must be someone who was not involved in the incident resulting in the arrest. The staff member must remain with the student for a reasonable time or until they are no longer needed.

- **Support for Students**

- Schools should assess any harm identified by students and parents/guardians that results from a police notification and provide support. If police notification leads to an arrest, healing-centered, restorative re-entry support should be implemented upon the student's return to school. Schools can refer to the Restorative Re-Entry Toolkit (cps.edu/sel) for detailed resources.