

# student behaviors covered by the SCC

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

- Pre-Kindergarten Through Grade 2 Behaviors
- 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.

### Supporting the Behavior of Students in Pre-Kindergarten through Grade 2

Chicago Public Schools believes that special considerations must be made when addressing the behaviors of students in grades pre-kindergarten through second grade. These special considerations include the student's age and developmental (e.g., physical, cognitive, communication, social-emotional

<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.

and adaptive) capacity to understand behavior and responses. CPS staff must maintain an attuned awareness of these special considerations when responding to student behaviors and any additional impact of disabilities, trauma, or significant disruptions in family life. This awareness may include additional attention to the design of the learning environment, the role of all adults within the classroom, the intentional development of social and emotional skills, and use of healing-centered, restorative, and trauma-responsive practices. CPS staff should also ensure trusting, intentional engagement with families, given the critical role played by caregivers of our youngest students.

To support the needs of our earliest learners in pre-kindergarten through second grade, a behavior group has been established in this policy to define behaviors that impact the safety and well-being of others. It is imperative that the outlined behaviors are always understood through the lens of the special considerations listed above. Schools will prioritize documentation of the behaviors outlined in the pre-kindergarten through second grade behavior group below to ensure transparency and collaboration with parents/guardians when implementing supportive, trauma-responsive interventions that address the root causes of the student's behavior.

### **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 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.

<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>).

## 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.

## 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 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 intervention 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 felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the complainant; by a person with whom the complainant shares a child in common; by a person who is cohabitating with, or has cohabitated with, the complainant as a spouse or intimate partner; by a person similarly situated to a spouse of the complainant under the domestic or family violence laws of Illinois; by any other person against an adult or youth complainant who is protected from that person's acts under the domestic or family violence laws of Illinois. To categorize an incident as Domestic Violence, the relationship between the respondent and the complainant must be more than just two people living together as roommates. The people cohabitating must be current or former spouses or have an intimate relationship.

These allegations or suspicions should be reported to the Office of Student Protections and Title IX immediately. The principal shall ensure that the student victim of dating violence or domestic violence receives appropriate support services in accordance with the Board's Policy on Domestic Violence, Dating Violence and Court Orders of Protection, Restraint or No Contact (<http://policy.cps.edu/download.aspx?ID=43>).

## SCC and Other Laws, Policies, Rules, and Contracts

The inappropriate behaviors and range of possible consequences and interventions listed in this policy are consistent with the Illinois School Code, Board Rules and Policies, negotiated agreements, and all other applicable state and federal laws.

The SCC applies to CPS contract and performance schools.

CPS charter schools are exempt from local school board policies under Illinois law (105 ILCS 5/27A). Charter schools may choose to adopt the SCC or establish their own discipline policies. Charter schools are not exempt from federal and most state laws, the Individuals with Disabilities Education Act (IDEA) or from federal and state regulations as they pertain to discipline of students with disabilities/impairments. If a charter school establishes its own discipline policy, it must incorporate language from and comply with the guidelines for suspension and expulsion of students with disabilities/impairments outlined in this policy. Charter schools must also comply with policies and procedures established by the Office for Students with Disabilities for the discipline of students with disabilities. Students expelled from charter schools should contact the Department of Student Adjudication at (773) 553-2249 for assistance in enrollment into a school post-charter expulsion.

Corporal punishment is expressly prohibited. Chicago Board of Education Rule 6-21 states: "No employee of the Board of Education may inflict corporal punishment of any kind upon persons attending the public schools of the City of Chicago."



## Pre-Kindergarten Through Grade 2 Behaviors

OBSERVED BEHAVIOR	RESPONSES AND INTERVENTIONS <sup>4</sup>
<p>P2A Continual leaving the classroom or leaving the school building or school premise<sup>5</sup></p> <p>P2B Continual destruction of classroom items or school property</p> <p>P2C Continual unwanted physical contact or any physical contact resulting in an injury</p> <p>P2D Continual display of sexually explicit behavior, including but not limited to contact with or exposure of genitals</p> <p>P2E Behavior that includes any bias-based speech or actions<sup>6</sup></p> <p>P2F Having a weapon, look-alike weapon, or dangerous object in school as defined in the Reference Guide</p> <p>P2G Having any controlled substance in school</p>	<ul style="list-style-type: none"> <li>Documented Teacher, Student, Parent/Guardian, and/or Administrator Conference focused on root cause of observed behavior and supportive strategies to prevent recurrence</li> <li>Recommended instructive, corrective, or restorative response (see <i>Guidelines for Effective Discipline Early Grades Supplement</i>)</li> </ul>

<sup>4</sup> 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.

<sup>5</sup> Safety Care trained school staff will use approved Safety Care de-escalation procedures to support students in an emotionally heightened state which may cause elopement. If a student elopes from the school building or premises, Safety Care trained school staff should continue to use approved Safety Care procedures and accompany the student to ensure safety. Parents and/or guardians must be contacted immediately.

<sup>6</sup> Behaviors that include bias-based content are not understood as school misconduct for students in this grade grouping, but require immediate support to ensure safe learning environments. Refer to the Addressing Bullying and Bias-Based Behavior policy in this handbook for bias-based behavior definitions. These behaviors are reported to the Office of Student Protections and Title IX to assist with identification of student needs and trauma-responsive support when required.

## Group 1 – Inappropriate Behaviors (Grades 3-12)

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>7</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>

<sup>7</sup> Students may be temporarily suspended from some or all CPS network privileges for improper use of the CPS network 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.

**Group 2 – Disruptive Behaviors (Grades 3-12)**

<p><b>DISRUPTIVE BEHAVIOR</b></p>	<p><b>AVAILABLE INTERVENTIONS AND CONSEQUENCES</b> (Appropriate interventions and consequences that do not exclude the student from their regular educational schedule must 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>	<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>

2-9 Failing to provide proper identification

2-10 Unauthorized use of school parking lots or other areas

2-11 Use of the CPS network for the purposes of distributing or downloading non-educational material<sup>8</sup>

<sup>8</sup> Students may be temporarily suspended from some or all CPS network privileges for improper use of the CPS network 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.

### Group 3 – Seriously Disruptive Behaviors (Grades 3-12)

<p><b>SERIOUSLY DISRUPTIVE BEHAVIOR</b>                      * Behaviors marked with an asterisk indicates that the misconduct may be a violation of the law.</p>	<p><b>AVAILABLE INTERVENTIONS AND CONSEQUENCES</b>                      (Appropriate interventions and consequences that do not exclude the student from their regular educational schedule must be attempted first.)</p>
<p>3-1 Disruptive behavior on the school bus<sup>9</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>10</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>11,12</sup></p> <p>3-5 Second or more documented violation of a Group 1 or 2 behavior category</p> <p>3-6 Any behavior not otherwise listed in Groups 1 through 3 of this SCC that seriously disrupts the educational process<sup>13</sup></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>14</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>15</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 Guidelines for Effective Discipline)</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 3-6 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>16,17</sup></p> <p>3-12 Inappropriately wearing any JROTC or Military Academy Uniform on or off school grounds</p> <p>3-13 Use of the CPS network for a seriously disruptive purpose not otherwise listed in this SCC<sup>18</sup></p>	<p>- Out-of-school suspensions of three days or less may be used only if the student's continuing presence in school would pose a threat to safety or a disruption to other students' learning opportunities.</p>
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\*Behaviors marked with an asterisks indicates that the misconduct may be a violation of the law.

<sup>9</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>10</sup> It is not an act of misconduct to defend oneself as provided by the law.

<sup>11</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>12</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>13</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>14</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>15</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>16</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>17</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>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.

## student behaviors covered by the SCC

## Group 4 – Very Seriously Disruptive Behaviors (Grades 3-12)

<p><b>VERY SERIOUSLY DISRUPTIVE BEHAVIOR</b>                      * Behaviors marked with an asterisk indicates that the misconduct may be a violation of the law.</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 <sup>19</sup>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</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 abetting in the commission of this behavior which does not result in a physical injury</p> <p>*4-6 Fighting<sup>20</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 Guidelines for Effective Discipline)</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 only 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>21</sup></p> <p>4-13 Possession of any dangerous object as defined by this SCC, first documented behavior (see Reference Guide)<sup>22</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>23</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>24</sup></p>	
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<sup>19</sup> This infraction may be violated without actually touching, striking or injuring another person.

<sup>20</sup> It is not an act of misconduct to defend oneself as provided by the law.

<sup>21</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>22</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>23</sup> Consider referring students who violate 4-14 for a substance abuse prevention program or counseling.

<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.

## Group 5 – Most Seriously Disruptive Behaviors (Grades 3-12)

<p><b>MOST SERIOUSLY DISRUPTIVE BEHAVIOR</b>            * Behaviors marked with an asterisk indicates that the misconduct may be a violation of the law.</p>	<p><b>AVAILABLE INTERVENTIONS AND CONSEQUENCES</b>            (Appropriate interventions and consequences that do not exclude the student from their regular educational schedule must be attempted first.)</p>
<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>25</sup></p> <p>*5-2 Knowingly and without authority entering or remaining in a building or vehicle with intent to commit a 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, dating violence, or domestic violence.<sup>26</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>27</sup></p> <p>5-5 [this code intentionally left blank]</p> <p>*5-6 Gang activity or overt displays of gang affiliation<sup>28</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>29</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 Guidelines for Effective Discipline)</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>*5-8 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> <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 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>30</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>- Out-of-school suspensions of longer than three days may be used only 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>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>31</sup></p> <p>5-13 [this code intentionally left blank]</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>

<sup>25</sup> This infraction may be violated without actually touching, striking or injuring another person.

<sup>26</sup> See full definitions of Dating Violence and Domestic violence under Special Notes at the beginning of this section of the policy.

<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. A full definition of protected categories can be found in the Addressing Bullying and Bias-Based Behavior Policy.

<sup>28</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>29</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>30</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>31</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 (Grades 3-12) (cont'd)

<p><b>MOST SERIOUSLY DISRUPTIVE BEHAVIOR</b>                      * Behaviors marked with an asterisk indicates that the misconduct may be a violation of the law.</p>	<p><b>AVAILABLE INTERVENTIONS AND CONSEQUENCES</b>                      (Appropriate interventions and consequences that do not exclude the student from their regular educational schedule must be attempted first.)</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>31, 32</sup></p> <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>	<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>

<sup>32</sup> A student may be disciplined for circumventing the information security system regardless of the student's intent. 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>33</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.

## Group 6 – Illegal and Most Seriously Disruptive Behaviors (Grades 3-12)

<p><b>ILLEGAL AND MOST SERIOUSLY DISRUPTIVE BEHAVIOR</b>                      * Behaviors marked with an asterisk indicates that the misconduct may be a violation of the law.</p>	<p><b>AVAILABLE INTERVENTIONS AND CONSEQUENCES</b>                      (Appropriate interventions and consequences that do not exclude the student from their regular educational schedule must be attempted first.)</p>
<p>*6-1 Use, possession, and/or concealment of a firearm<sup>34</sup>/destructive device or other weapon<sup>35</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>36, 37</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>38</sup> of such substances, contraband<sup>39</sup>, or any other substance used for the purpose of intoxication<sup>40</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 Guidelines for Effective Discipline)</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. 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> </ul>

student behaviors covered by the SCC

## Group 6 – Illegal and Most Seriously Disruptive Behaviors (Grades 3-12)

<p><b>ILLEGAL AND MOST SERIOUSLY DISRUPTIVE BEHAVIOR</b>          * Behaviors marked with an asterisk indicates that the misconduct may be a violation of the law.</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>41</sup> 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 of 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><b>AVAILABLE INTERVENTIONS AND CONSEQUENCES</b>          (Appropriate interventions and consequences that do not exclude the student from their regular educational schedule must be attempted first.)</p> <ul style="list-style-type: none"> <li>- Out-of-school suspensions of three days or less may be used only if the student's continuing presence in school would pose a threat to school safety or a disruption to other students' learning opportunities.</li> <li>- Out-of-school suspensions longer than three days may be used only 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.</li> </ul> <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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<sup>34</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>35</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>36</sup> A network is considered inoperable when it is unable to perform at the level of functionality intended by its maintainers.

<sup>37</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>38</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>39</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>40</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>41</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.