

The Student Code of Conduct (SCC) supports school leaders in restorative and equitable disciplinary practices that address root causes of behaviors, maximize learning time, and promote social & emotional learning. CPS believes that discipline practices should support students in understanding the impact of their actions, taking responsibility for choices, and resolving conflict or repairing harm. Disciplinary processes should consider the needs of all stakeholders involved and contribute to a safe, supportive learning environment for all students. Adults help students hold themselves accountable by both setting high expectations and providing high levels of support.

Under state law, CPS must review the SCC annually and ensure exclusionary discipline practices are used as a last resort. From Nov. 2017-May 2018, CPS Office of Social & Emotional Learning and Law Department reviewed the SCC with Central Office, Network, and school staff, students, Local School Council Advisory Board, and parent and community partners. Based on the review, the SY19 Student Code of Conduct includes the following updates:

Anti-Bullying Policy

CPS is committed to ensuring all students have access to a safe, supportive learning environment free from bullying and harassment. Updates provide guidance and protections against bias-based harassment, and clarify steps for schools to follow when responding to bullying allegations.

- “**Immigration status**” is added for protection against discrimination in both the Anti-Bullying Policy and SCC Section 3-4 (harassment based on race, color, national origin, sex, gender, sexual orientation, age, religion, gender identity, gender expression or disability).
- The **definition of bullying** is aligned to national definitions of bullying and clarified as incidents that meet four criteria: 1) real or perceived imbalance of power between students; 2) severe or pervasive behaviors; 3) intent to cause physical or emotional harm; *and* 4) behaviors have or can make the student fearful, have a detrimental effect on the student’s physical or emotional health; or interfere with the student’s academic performance or participation in school.
- **Prejudice or bias** is included as a form of harassment/bullying.
- **Step-by-step guidance** is provided for documenting, investigating, and responding to allegations of bullying. Schools are required to notify involved parents/guardians in writing of the outcomes of bullying investigations.

Out of School Suspensions

Disciplinary practices must be applied consistently and fairly across the district to ensure equity in students’ educational experiences and outcomes. The SCC outlines specific behaviors and possible interventions and consequences to support consistent implementation of discipline. “Catch-all codes” are available in the SCC for rare instances when no other SCC code is applicable. However, the catch-all code, SCC Section 4-9 (any behavior not otherwise listed), was the most frequently used SCC code when issuing an out of school suspension in SY2018. About 1 out of every 4 out-of-school suspensions in the district were issued using SCC Section 4-9, resulting in highly inequitable disciplinary practices. More than 80% of the out-of-school suspensions issued for Section 4-9 were given to African American students, although African American students make up only 37% of the district’s student body. Many of the narratives for out-of-school suspensions given for Section 4-9 did not meet the requirements under state law (“SB100”) for suspensions usage.

- Network-level approval is required before a school can issue an out of school suspension for “catch-all codes” **SCC Section 3-6 and 4-9** (any behavior not otherwise listed), in order to increase clarity of documentation and reduce racial disproportionality in suspension practices. (ISP schools will receive approval from Office of Network Support or designee).
- The SCC intervention and consequence menus provides additional clarifying language to reflect state law and remind schools of “**last resort**” **criteria** for assigning suspensions:
 - Out-of-school suspensions of 3 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.
 - Out-of-school suspensions more than 3 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.

Appropriate interventions are determined after assessing how to address root cause. This may include creating a plan determined from restorative processes, or evidence-based Tier 2 & 3 social & emotional or behavioral health interventions.

Trauma-Sensitive and Therapeutic Responses

Exposure to trauma may impact student's brain development, learning and behaviors. Trauma-sensitive disciplinary approaches focuses on reducing problematic behaviors by addressing root causes and avoids ineffective punitive measures that may retraumatize students.

- Language in the SCC and the Guidelines for Effective Discipline is updated to reflect a **trauma-sensitive approach** to discipline, identifying trauma as one possible root cause to address and trauma-focused interventions as potential response. The CPS Office of Social & Emotional Learning provides training and resources for creating trauma-sensitive schools.
- The **repeat possession of illegal drugs** is separated from the sale of alcohol or drugs. SCC Section 6-6 refers only to sale of alcohol or drugs, while SCC Section 5-17 (use or possession of illegal drugs) may still be used to document both first time or repeated drug usage. Repeat drug usage may indicate addiction, trauma, or other underlying mental health factors, which may require a therapeutic response. The Guidelines for Effective Discipline and CPS Office of Social & Emotional Learning provides additional guidance and support for addressing therapeutic needs when responding to incidents.

Eliminate Zero Tolerance

A significant body of research has found zero tolerance school discipline policies (which use suspensions/expulsions as an automatic response for certain behaviors) have been ineffective at increasing safety or deterring behaviors, and has had long-term detrimental effects on the most vulnerable youth. State law ("SB100") expressly prohibits administering zero-tolerance discipline policies except when required by law. To align to current practices and better reflect state law:

- An explicit statement is added to the SCC to **prohibit the use of zero tolerance** practices, such as automatic suspensions for specific behaviors.
- For students in grades 6-12, behavior incidents categorized as Group 6 (most severe and illegal) will no longer automatically trigger a "request for expulsion hearing" but will be referred for **review by the student adjudication committee**. For all students, behaviors classified as Section 6-1 (use/possession of weapon/lookalike weapon) will continue to trigger an automatic request for expulsion hearing as required by state law. This cross-departmental committee meets weekly to assess each individual case and support schools in an appropriate response. School principals may continue to use their discretion to request an expulsion hearing or district intervention program (Saturday Morning Alternative Reach out and Teach - SMART) for any Group 5 or 6 infraction.

Office of Student Protections & Title IX

The new Office of Student Protections and Title IX (OSP) will support and assist a principal or his/her designee in responding to allegations of student-on-student harassment, bullying, assault, or abuse related to sex, gender, sexual orientation or gender expression, or an inappropriate consensual sexual activity. The OSP will coordinate the response to all sexual harassment and abuse incidents where students are potential victims. The OSP will also be responsible for leading the investigations of the most serious student-on-student allegations of sexual abuse or violence.

- The general requirements section of the SCC provides guidance on when OSP should be notified and involved in the investigation.
- The following infraction codes will have a note signaling that a call to the OSP will be required, when the allegation involves behavior based on sex, gender, sexual orientation or gender expression: 3-4 (profane/seriously offensive language/behavior/harassment based on protected statuses), 3-10 (bullying behaviors), 3-11 (use of cell phones or technology to harass), 5-4 (intimidation, credible threats of violence, coercion, or persistent severe bullying), 5-7 (inappropriate sexual conduct/transmitting sexually suggestive images), 5-9 (persistent or severe acts of sexual harassment), 5-14 (cyberbullying), 5-16 (inappropriate consensual sexual activity, or 6-7 (sex acts with use of force).