

**ADOPT UNIFORM DISCIPLINE CODE FOR
CHICAGO PUBLIC SCHOOLS FOR 2004-2005 SCHOOL YEAR**

THE CHIEF EXECUTIVE OFFICER RECOMMENDS THE FOLLOWING:

That the Chicago Board of Education adopt the Uniform Discipline Code (UDC) for the 2004-2005 school year which is attached hereto. This UDC has been updated to modify the actions necessary for

discipline special education students. The 2004-2005 UDC will become effective September 13, 2004.

UNIFORM DISCIPLINE CODE
2004-2005

BOARD OF EDUCATION OF THE CITY OF CHICAGO
POLICY STATEMENT

The Chicago Board of Education ("Board"), the governing body of the Chicago Public Schools, is

responsible for establishing policies under which schools operate. To promote desirable student conduct and behavior, a Uniform Discipline Code (UDC) has been adopted. This Code recognizes that the Chicago Public Schools have a responsibility to provide a safe and orderly learning environment for all students.

If the student's behavior is not a manifestation of the disability, school officials may apply the Uniform

~~question, however, may the student be suspended without providing appropriate educational services for~~

- Be honest and courteous
- Refrain from drug use, alcohol use, and possession, concealment, or use of illegal weapons
- Respect the rights of fellow students, school personnel, and others, while setting a good example
- Seek assistance from school personnel to prevent or resolve conflicts
- Report incidents or activities that may threaten or disrupt the school environment

ACADEMICS

- Do your best to achieve excellence in personal conduct and academics
- Make every effort to graduate on time
- Contribute to a good learning climate
- Improve your performance upon notice of unsatisfactory progress

EXTRACURRICULAR ACTIVITIES

- Behave in an exemplary manner (*misconduct at school-sponsored events is subject to code sanctions*)
- Show good sportsmanship (*students or teams violating the ethics of competition or principles of good sportsmanship during a sporting event may be subject to appropriate disciplinary action that can include barring from future participation as spectators or participants or both; details can be found in the constitution and bylaws of the Board of*

Athletic Control)

STUDENT RIGHTS

A FREE AND APPROPRIATE PUBLIC SCHOOL EDUCATION

- Graded on their academic performance
- Given explanation of the basis for any grades received
- Allowed to make up classwork after an excused absence
- Given the right to appeal decisions regarding an absence

EQUAL TREATMENT IN ALL ASPECTS OF THE EDUCATION SYSTEM

- Due process in disciplinary reassignment, in-school suspension, suspension for 10 days or less, and expulsion

• Educational services, when provided and/or requested, under the same conditions afforded

- Instill in the student respect of the law, including the rights of others
- Be responsible for the periodic student health examinations required by law

- school organizations, and committees
- Attend all requested conferences
- Volunteer three or more days per year

PARENT RIGHTS

- Receive regular official reports of the student's academic progress
- Inspect, copy, and challenge according to the appropriate guidelines any and all

PRINCIPAL RESPONSIBILITIES

~~1. To ensure professional ethics in relationships with staff, students, parents, and the community.~~

- Provide orientation to new teachers and continuing assistance to all school personnel to resolve problems as they arise
- Review, monitor, and evaluate the program of instruction, and articulate the program to parents and the community at-large on an ongoing basis
- Involve the teachers and the auxiliary staff and, when appropriate, the staff of public and private agencies with parents and students to identify and solve problems.

All disciplinary actions for misconduct should include a conference between the teacher and/or principal or designee and the student, followed by notification to the parent(s) or guardian. Where schools have implemented School Disciplinary Justice approved by the Chief Education Officer or designee, student may be

giving the notice of processing before a Disciplinary Justice for determination of the disciplinary actions to be taken

The acts of misconduct on the following pages which are preceded by an asterisk (*) also violate criminal laws, and the Chicago Police Department must be notified by the school for each violation. Acts of misconduct preceded by double asterisks (**) **may** also be violations of criminal law and **may** require police notification if the misconduct is serious and/or the student persists in misconduct after being told to cease such behavior. Whenever the school notifies the police concerning student misconduct, the school must also immediately attempt to contact the parent/guardian of that student. If questions occur concerning police notification, please consult the Law Department at (773) 553-1700.

APPEALS TO DISCIPLINARY ACTION

All appeals of a student's suspension, after a final decision by the principal, shall be made to the Chief Education Officer or designee (in writing if requested).

Appeals of the final determination of a student's expulsion shall be made in writing and sent along with

any additional evidence not available at the time of expulsion, to the Chief Education Officer. The Chief Education Officer's decision regarding the appeal is final.

GROUP 1 - ACTS OF MISCONDUCT

These acts of misconduct include *inappropriate* student behaviors in the classroom or on the school grounds, such as the following:

1-1 Running and/or making excessive noise in the hallway building

1-2 Leaving the classroom without permission

- 1-4 Displaying any behavior that is disruptive to the orderly process of classroom instruction
- 1-5 Loitering
- 1-6 Failing to attend class without a valid excuse
- 1-7 Persistent tardiness to school or class

GROUP 2 - ACTS OF MISCONDUCT

These acts of misconduct include those student behaviors that *disrupt* the orderly educational process in the school or on the school grounds, such as the following:

- 2-1 Posting or distributing unauthorized or other written materials on school grounds
- 2-2 Leaving the school without permission
- 2-3 Interfering with school authorities and programs through walkouts or sit-ins
- 2-4 Initiating or participating in any unacceptable minor physical actions
- 2-5 Failing to abide by school rules and regulations
- 2-6 Exhibiting or publishing any profane, obscene, indecent, immoral, libelous, or offensive written materials, language or gestures
- 2-7 Possession of tobacco products, matches, cigarette lighters, or rolling papers
- 2-8 Defying (disobeying) the authority of school personnel
- 2-9 Failing to provide proper identification
- 2-10 Unauthorized use of school parking or other areas
- 2-11 Use of the CPS Computer Network for the purposes of distribution or downloading non-educational material

Disciplinary Action - Minimum to Maximum

FIRST VIOLATION

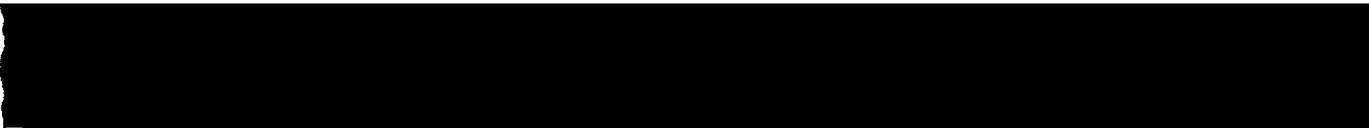
- ◆ Teacher-Student-Parent Conference
- ◆ Teacher-Student-Resource Person-Administrator Conference

GROUP 3 - ACTS OF MISCONDUCT

~~These acts are defined in the Chicago Public Schools Code of Student Conduct, which is available at the following link:~~

educational process of the Chicago Public Schools, such as the following:

- 3-1 Disruptive behavior on the school bus⁶
- **3-2 Gambling
- 3-3 Fighting-two people, no injuries
- 3-4 Profane, obscene, indecent, and immoral, especially offensive language and gestures



GROUP 4 - ACTS OF MISCONDUCT

These acts of misconduct include those student behaviors that *very seriously disrupt* the orderly educational process of the Chicago Public Schools, such as the following:

- *4-1 False activation of a fire alarm
- *4-2 Extortion
- **4-3 Assault
- *4-4 Vandalism or criminal damage to property
- **4-5 Battery
- **4-6 Fighting - more than two people and/or involves injury or injuries
- *4-7 Theft or possession of stolen property not exceeding \$150 in value
- *4-8 Possession, use, or delivery of fireworks
- 4-9 Possession or use of pagers, cellular telephones or laser pointers without school permission
- **4-10 Disruptive conduct

- **4-11 Trespassing on CPS property or "hacking" into the CPS computer network
- *4-12 Knowingly or intentionally using the CPS Network or Information Technology Devices to spread viruses to the CPS Network, access student records or otherwise cause a

serious hazard

Disciplinary Action - Minimum to Maximum

- ◆ Teacher - Student - Resource Person - Administrator Conference

GROUP 5 - ACTS OF MISCONDUCT

These acts of misconduct include those student behaviors that *most seriously disrupt* the orderly educational process in the Chicago Public Schools, such as the following:

- *5-1 Aggravated assault
- *5-2 Burglary
- *5-3 Theft or possession of stolen property exceeding \$150 in value
- **5-4 Use of intimidation, credible threats of violence, coercion, persistent severe bullying
- 5-5 Gross disobedience to the authority of school personnel
- *5-6 Gang activity, including overt displays of gang affiliation
- *5-7 Inappropriate sexual conduct
- *5-8 Engaging in any other illegal behavior which interferes with the school's educational process¹¹
- *5-9 Persistent or severe acts of sexual harassment
- *5-10 False activation of a fire alarm which causes a school facility to be evacuated
- *5-11 Possession of any dangerous object or "look alike" of same for purposes of this

- *5-12 Battery, or aiding or abetting in the commission of a battery, which results in a physical injury
- **5-13 Initiating or participating in any inappropriate, minor physical contact with school personnel¹²
- *5-14 Use of any computer or information technology device to stalk, harass, or otherwise intimidate others

Disciplinary Action Minimum to Maximum

GROUP 6 - ACTS OF MISCONDUCT

EXPULSION GUIDELINES

- If a student commits a serious act of misconduct, a Misconduct Report is prepared and the parent/guardian/student is contacted notifying them of the misconduct.
- If the misconduct necessitates a referral for an expulsion hearing, the parent/guardian of

the student will be sent a Notice of Request to Expel letter and a Notice of an Expulsion Hearing letter. These notices will provide a description of the incident, the date of the

GLOSSARY

Aggravated assault - Any assault done with a deadly weapon or done by a person who conceals his/her

identity, or any assault against school personnel.

Aggravated battery - Any battery to another that either causes great harm, is done with a deadly weapon, or is done by a person who conceals his/her identity. The use of physical force against school personnel.

Alternative school placement - Disciplinary reassignment to the Safe Schools Alternative Program:

provide students in grades 6-12 and offers specialized curriculum, smaller teacher-student ratios, and

Forgery - The false and fraudulent making or altering of a document or the use of such a document.

Gambling - Participation in games of chance or skill for money and/or things of value.

Gang - 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,

activity.

Gang activity - 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

School Peer Juries / School Peer Juries are used in student court as an alternative to other disciplinary

action for Groups 1, 2, and 3 violations of the Uniform Discipline Code. The hearings are held in the school and all students serving on the Peer Jury must be attending the offender's school. In order to appear before a School Peer Jury, the offending student must admit to committing the misconduct, and

APPENDIX A - REFERENCE GUIDE FOR GROUPS 5 & 6 ACTS OF MISCONDUCT

SECTION 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 charged with a violation of Section 5-11 of the Uniform Discipline Code. *If a student uses, or threatens to use, any of these objects to inflict harm on someone, the student should be charged with a violation of Section 6-1.*

Knives - these include but are not limited to:

Pen knives or other kitchen knives

- Pen knives/Pocket knives
- Hunting knives
- Swiss Army knife
- Box cutters
- Razors

Tools - these include but are not limited to:

Hammers

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

Other Objects - these include but are not limited to:

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

"Look-Alike" Firearms - these include:

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

SECTION 6-1

If a student has any of these objects in his or her possession or uses any such objects, (s)he should be charged with a violation of Section 6-1 of the Uniform Discipline Code.

Firearms - these include:

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

Knives - these include only the following types of knives:

- Switchblade knives
- Ballistic knives (knives that are operated by an air or gas pump)

Explosive Devices/Gases - these include:

- Tear gas guns

- Noxious liquid gas
- Grenades
- Other explosive substances

Other Objects - these include:

- Blackjack
- Billy club
- Stinashot

Sandbag

Metal/bone knivelip