

**ALAIN LOCKE CHARTER  
SCHOOL**

**STUDENT CODE OF CONDUCT  
2023-2024**

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## **ALAIN LOCKE CHARTER SCHOOL'S** **DEVELOPMENTAL APPROACH TO SCHOOL DISCIPLINE**

*Alain Locke encourages a developmental approach to preventing and responding to student misbehavior. Actions that are disruptive to a child's learning and the learning of classmates are responded to in a manner that takes into account the child's age, experiences, and participation in the wider community. Children need models rather than critics.*

*-Joseph Joubert*

Children learn about their world through trial and error. They make mistakes. Learning through trial and error and making mistakes is developmentally appropriate and children should not be afraid to make mistakes. Rather, children should be provided with the opportunities to learn from their mistakes. Caring adults who consistently model appropriate behavior provide such opportunities. As children develop their intellectual abilities and communication skills, they also develop their ability to distinguish right from wrong, plan behavior choices, consider consequences, and take greater responsibility for their actions.

Alain Locke's approach to discipline is based upon the beliefs stated herein. Alain Locke holds the belief that student learning and development occur in an educational environment that is emotionally and physically safe and promotes high expectations for students, staff, parents/guardians, and members of the community. The educational environment should be organized and stable with regards to staff assignments, schedules, and expectations and consequences for student behavior. Kindness is an important element in Alain Locke's character education program, which includes encouraging children to continually develop positive traits such as self-discipline, integrity, perseverance, and responsibility.

Whereas it is Alain Locke's goal to promote not only the academic growth, but also the social, emotional, behavioral, and civic development of its students, Alain Locke is committed to working not only with students, but also with their parents/guardians, and the wider community. Thus, decisions concerning student discipline will include careful analysis and consideration of the student's needs, the impact the student's behavior has on the school and larger community, and ways to best address the student's needs in balance with the needs of the school and wider community.

Our discipline approach is tailored to the individual incident and varies in method and severity according to the nature of the behavior, the age and developmental level of the student, and the student's history of problem behaviors and performance.

## Alain Locke Charter School Does Not...

- Use 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 suspension cannot be a minimum or required consequence for any other offense. Therefore, our school encourages the use of alternative approaches to zero tolerance. We support staff in delivering alternatives to suspension and expulsion, with a focus on restorative practices and the teaching of desired behaviors that will promote future success.
- Advise or encourage students to drop out voluntarily due to behavioral or academic difficulties or to leave the school voluntarily to avoid formal disciplinary proceedings through either formal or informal “push out” procedures.
- Issue a monetary fee or fine as a disciplinary consequence, although students can be asked to pay for lost, stolen or damaged property.

Alain Locke Charter School will provide parents and guardians a copy of this Code of Conduct within 15 days of the start of school. Staff will also inform students of the contents.

### **PARENT-INSTRUCTOR ADVISORY COMMITTEE**

Alain Locke Charter School provides structured opportunities for stakeholders to participate in the educational process. At Alain Locke, we maintain an active parent-teacher advisory committee. The parent-teacher advisory committee works together with the school board on the following tasks:

- Developing written policy guidelines and procedures on student discipline, including school searches and bullying preventions;
- Annually reviewing school’s student discipline policies, the implementation and evaluation of these policies, and any other factors related to the safety of our educational community;
- Collaborating with community organizations to address the safety and support of students who have demonstrated behaviors that put them at risk for aggressive behavior, including bullying

### **PROCEDURAL SAFEGUARDS FOR DISCIPLINE OF STUDENTS WITH DISABILITIES/IMPAIRMENTS<sup>1</sup>**

School officials may suspend students with disabilities/impairments and cease educational services for a total of up to 10 consecutive or 10 cumulative school days in one school year without providing procedural safeguards. Saturday, and before- and after-school detentions do not count toward the 10-day limit. Additionally, if students with disabilities continue to participate in the general education curriculum, continue to

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<sup>1</sup> All procedural safeguards contained in the SCC and this Appendix are equally applicable to those students with §504 plans.

receive their IEP services, and continue to participate with non-disabled peers to the same extent as specified in the IEPs, in-school suspensions and lunch detentions do not count toward the 10-day limit. Administrators are not required to suspend students with disabilities for the recommended periods set forth in this Code for a single incident. Specifically, the Principal and his/her designee has discretion to suspend students with disabilities fewer than set forth for a single incident. Federal regulations offer some flexibility in suspending students with disabilities in excess of 10 school days in the school year in certain circumstances. To determine whether the circumstances permit a suspension in excess of 10 days per school year, consultation by the school with the Department of Procedural Safeguards and Parental Supports (773/553-1905) is necessary. **Without such consultation and approval from the Department of Procedural Safeguards and Parental Supports, the 10-school day limit on out of school suspensions will continue to apply.**

When school officials anticipate a referral for expulsion, the following apply:

1. School must provide written notice to the parent/guardian or surrogate parent of the request for an expulsion hearing and the date of an Individualized Education Program (IEP) Manifestation Determination Review (MDR) meeting, which must be held within 10 school days of the date of the decision to request the expulsion hearing. School must also provide parent/guardian/surrogate with a written copy of the Notice of Procedural Safeguards.
2. The IEP team must:
  - A. Determine whether the misconduct is related to the student's disability by reviewing all current and relevant information, including evaluation and diagnostic results, information from the parent/guardian, observations of the student, and the student's IEP. The behavior is a manifestation of the student's disability if:
    - 1) the conduct in question was caused by the student's disability or has a direct and substantial relationship to the student's disability; and/or
    - 2) the conduct in question was the direct result of the school's failure to implement the student's IEP.
  - B. Review and revise, if necessary, the student's existing behavior intervention plan or develop a functional behavior assessment and behavior intervention plan (FBA/BIP) to address the misconduct. The behavior intervention plan must address the misconduct for which the student is being disciplined.

If the student's behavior is not a manifestation of the disability, school officials may apply the code of conduct, taking into consideration the student's special education and disciplinary records. In no event, however, may the student be suspended for more than 10 consecutive or cumulative school days in a school year without providing appropriate educational services.

If the student's behavior is a manifestation of the disability, a disciplinary change in placement (expulsion) cannot occur. Students with disabilities, even if expelled, must be provided with an appropriate education in an alternative educational setting.

All MDRs are subject to legal review by the Department of Procedural Safeguards and Parental Supports.

## **STUDENT MISCONDUCT**

This section describes a broad range of misconduct that is prohibited at Alain Locke. Because the following sections listing acts of misconduct do not include all types of misconduct, the student who commits an act of misconduct not listed under the sections herein shall be subjected to the discretionary authority of the classroom teacher and the principal or designee.

Please note that Alain Locke instructors utilize many non-exclusionary techniques to address student misbehaviors in the classroom and/or common areas. Depending on the situation, these techniques may include, but are not limited, to the following:

- Non-verbal limit setting acts (e.g., eye contact, proximity, pointing to posted rules, changing color, removal of attention when student engages in undesired behavior, removal of materials the student is interacting with for a period of time, etc.)
- Verbal limit setting acts (e.g., call student by name, compliment someone who is on task (or proximity praise), reminder of expectations, warning(s), redirection, etc.)

Limit setting acts are the preferred method for the instructor to do to stop misbehavior. Only when limit setting techniques are not working or when the act is deliberate and persistent are additional steps taken to address misconduct.

Disciplinary actions for misconduct may include a conference between the teacher and/or principal or designee and the student, followed by notification to the parent(s) or guardian. The student, parent, or guardian who feels that the disciplinary action taken is unwarranted or excessive has the right to appeal to the principal.

The policies and administrative procedures apply to actions of students during school hours, before and after school, while on school property, while traveling in vehicles funded by Alain Locke or CPS, at all school- sponsored events, while using Alain Locke or CPS networks or any computer or Information Technology Devices when the actions affect the mission or operation of Alain Locke. Students may also be subject to discipline for serious acts of misconduct which occur either off campus or during non-school hours when the misconduct disrupts or may disrupt the orderly educational process at Alain Locke. For violations of the COC that involve improper use of technology, the student may be subject to discipline pursuant to the COC, in addition to having his/her network privileges suspended.

The range of actions for Acts of Misconduct is listed from the least severe to the most severe and staff members shall consider all mitigating circumstances prior to disciplinary action and ensure due process for each student. Mitigating circumstances include, but are not limited to, the following factors:

- Age, health, maturity, and academic placement of a student
- Prior conduct
- Attitude of a student
- Cooperation of parent/guardian
- Willingness to make restitution
- Seriousness of offense
- Willingness of student to enroll in a student assistance program

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 Alain Locke notifies the police concerning student misconduct, Alain Locke must also immediately attempt to contact the parent/guardian of that student.

The disciplinary process is intended to be instructional and corrective, not punitive. For example, the Instructor-Student Conference listed in the disciplinary actions below is designed to be a restorative conversation asking the student what he/she was thinking at the time and what he/she needs to do to make things right. As part of this restorative practice, the instructor may require the student to write a reflection or an apology letter to those who may have been impacted by the misconduct.

In addition to the disciplinary actions listed in this policy, Alain Locke may assign students to workshops in truancy/violence prevention or in conflict resolution. In lieu of in-school or out-of-school suspensions for acts of misconduct in groups 1-4, Alain Locke may also assign students to before or after school detention, during school recess/recreational periods detention, or Saturday detention. Students whose acts of misconduct most seriously disrupt the educational process may be subject to expulsion.

Alain Locke focuses on building a positive learning climate at school. Staff utilizes techniques to prevent or de-escalate misconduct. The school provides support programs and counseling services that build social-emotional and social-cognitive skills in small groups or one-on-one settings (e.g., impulse control, emotional self-regulation, reading social cues, personal responsibility, etc.). These services address root causes of misbehavior and help build skills and relationships to minimize misbehavior.

## **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 hall or building
- 1-2 Leaving the classroom without permission
- 1-3 Displaying any behavior that is disruptive to the orderly process of classroom instruction
- 1-4 Loitering
- 1-5 Failing to attend class without a valid excuse
- 1-6 Persistent tardiness to school or class
- 1-7 Unauthorized possession of pagers or cellular telephones<sup>1</sup>
- 1-8 The use of school technology for the purpose of accessing non-educational material<sup>2</sup>

### **Disciplinary Action - Minimum to Maximum**

#### FIRST VIOLATION

- Instructor-Student Conference (restorative practice)
- Warning
- Instructor- Student-Parent School or Phone Conference

#### SECOND VIOLATION

- Instructor- Student-Administrator Conference
- Instructor-Student-Parent-Administrator Conference
- Detention/In-school Service



## **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 without permission from the principal, 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 language and/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 Use of school technology for the purposes of distribution or downloading non-educational material

### **Disciplinary Action - Minimum to Maximum**

- Instructor-Student Conference (restorative practice)
- Warning
- Instructor- Student-Parent School or Phone Conference
- Instructor- Student-Administrator Conference
- Instructor-Student-Parent-Administrator Conference
- Detention/In-school Service

## **GROUP 3 – ACTS OF MISCONDUCT**

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

- 3-1 Disruptive behavior on the school bus
- \*\* 3-2 Gambling
- 3-3 Fighting or negative physical contact
- 3-4 Profane, obscene, indecent, immoral, or seriously offensive language and gestures, propositions, behavior, or harassment based on race, color, national origin, sex, gender, sexual orientation, age, religion, or disability
- 3-5 Persisting in serious acts of disobedience or misconduct listed in Groups I through 3 of this Code
- 3-6 Any behavior not otherwise listed in Groups I through 3 of this Code, the commission of which is seriously disruptive to the educational process
- \*\*3-7 Forgery
- 3-8 Cheating and/or copying the work of another student
- 3-9 Overt display of gang affiliation (see glossary definition)<sup>5</sup>
- 3-10 Bullying behaviors (see glossary for definition)
- 3-11 Unauthorized activation or use of pagers or cellular telephones

### **Disciplinary Action - Minimum to Maximum**

- Instructor-Student Conference (restorative practice)
- Instructor- Student-Parent School or Phone Conference
- Instructor-Student-Parent-Administrator Conference
- Detention/In-school Service
- Short-Term Suspension if deemed warranted after case review by Administrator (not automatic)

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<sup>5</sup> Repeated violations of Act of Misconduct 3-9 of the COC may result in a referral for an expulsion hearing and should be submitted as a 5-6 Act of Misconduct.

## **GROUP 4 – ACTS OF MISCONDUCT**

These acts of misconduct include those student behaviors that very seriously disrupt the orderly educational process in the classroom, in the school, and/or on the school grounds. In many cases, these behaviors are also illegal, 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 which does not result in a physical injury
- \*\*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 laser pointers without school approval
- \*\*4-10 Disorderly conduct
- \*\*4-11 Trespassing

### **Disciplinary Action - Minimum to Maximum**

- Instructor-Student Conference (restorative practice)
- Instructor- Student-Parent School or Phone Conference
- Instructor-Student-Parent-Administrator Conference
- Detention/In-school Service
- Short-Term Suspension if deemed warranted after case review by Administrator (not automatic)
- Long-Term Suspension if deemed warranted after case review by Administrator (not automatic)

## **GROUP 5- ACTS OF MISCONDUCT**

These acts of misconduct include those student behaviors that *most seriously disrupt* the orderly educational process at Alain Locke, 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, or persistent bullying
- 5-5 Gross disobedience to the authority of school personnel
- \*5-6 Gang activity including repeated 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 process
- \*5-9 Persistent or severe acts of sexual harassment
- \*5-10 False intentional activation of a fire alarm which causes a school facility to be evacuated
- \*5-11 Possession of any dangerous object or “look-alikes” of weapons, for purposes of this Code
- \*5-12 Battery, or aiding or abetting in the commission of a battery, which results in physical injury
- \*\*5-13 Initiating or participating in any inappropriate minor physical contact with school personnel
- \*\*5-14 Use of technology to stalk, harass, or otherwise intimidate others

### **Disciplinary Action – Minimum to Maximum**

- Instructor Student Conference (restorative practice)
- Instructor Student Parent Administrator Conference
- Detention/In-school Service
- Short-Term Suspension if deemed warranted after case review by Administrator (not automatic)

- Long-Term Suspension if deemed warranted after case review by Administrator (not automatic)

## **GROUP 6- ACTS OF MISCONDUCT**

These acts of misconduct include illegal student behaviors that not only most seriously disrupt the orderly educational process at Alain Locke but also mandate the disciplinary action described below:

\*6-1 Use, possession, and/or concealment of a firearm/ destructive device or other weapon as defined in this Code, or use or intent to use any other object to inflict bodily harm

\*6-2 Possession of any dangerous object that is not defined as a weapon for the purposes of this Code<sup>6</sup>

\*6-3 Arson

\*6-4 Bomb threat

\*6-5 Robbery

\*6-6 Use, possession, sale, or delivery of alcohol, illegal drugs, narcotics, controlled substances, "look-alikes" of such substances, or contraband, or use of any other substance for the purpose of intoxication

\*6-7 Sex violations

\*6-8 Aggravated battery

\*6-9 Murder

\*6-10 Attempted murder

\*6-11 Kidnapping

### **Disciplinary Action - Minimum to Maximum**

- Instructor-Student-Parent-Administrator Conference
- Detention/In-school Service

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<sup>6</sup> In instances where students bring objects that are dangerous, but not normally used as weapons, and do not use them to inflict bodily harm or express the intent to use them for that purpose, the students should be charged with a Group 6-2 violation of the COC.

- Short-Term Suspension if deemed warranted after case review by Administrator (not automatic)
- Long-Term Suspension if deemed warranted after case review by Administrator (not automatic)
- Expulsion (not automatic)

Suspension for ten days and/or expulsion for a period of not less than one calendar year, or as modified on a case-by-case review by the Board. First-time violations of Group 6 Acts of Misconduct which do not involve violence or the threat of violence or the use, possession, and/or concealment of a firearm/destructive device, or the sale or delivery of illegal substances will result in a maximum of ten days suspension without referral for an expulsion hearing.

Expulsion for at least 1 year, adjusted on a case-by-case basis, for bringing the following objects to school:

- Firearm
- Look-alike firearm
- Knife
- Brass knuckles, or other knuckle weapon
- Billy club

Any other object if used or attempted to use to cause bodily harm

## SUSPENSION GUIDELINES

Suspensions and expulsions are limited in number and duration to the greatest extent practicable and used only for legitimate purposes. To prevent students from being excluded from school unnecessarily, school staff will attempt non-exclusionary discipline prior to using out-of-school suspensions or expulsions, except in exigent and emergency situations involving school safety. School officials shall make all reasonable efforts to resolve threats, address disruptions, and minimize the length of student exclusions to the greatest extent practicable.

**Out of school suspensions are not automatic and is not a guaranteed consequence for any act of misconduct.** Before imposing discipline, school staff must consider whether an alternative to suspension or expulsion is an appropriate or available option. This determination should be made as early as possible following the incident.

- Short-term suspensions (up to 3 days) are allowed if the student’s continuing presence in school would pose a threat to school safety or a disruption to other students’ learning opportunities
- Long-term suspensions (4 days or more), expulsions and disciplinary removals are allowed only if the student’s continuing presence in school would either:

- Pose a threat to the safety of other students, staff, or members of the school community OR
- Substantially disrupt, impede, or interfere with the operation of the school

Suspensions are limited to 10 days. For suspensions of 4 or more days, the school may provide educational options during suspension.

K-2 students may not be assigned out-of-school suspensions by the school principal or other school official. If a student in kindergarten through second grade exhibits behavior that presents an imminent endangerment to the physical, emotional, or mental safety of specific students/staff, the school may seek an exception from the district and assign an emergency one-day in-school or out-of-school suspension after the student's parent/guardian has been notified.

There are no academic punishments for behavioral violations. A student who is suspended will be allowed to make up work for equivalent credit. School will provide all work and arrange make-up test dates to allow the student to return to school without further impacting his or her academic record or graduation.

In making the determination as to whether suspension is warranted, school staff will consider the following factors:

- the conduct at issue;
- the root cause of the conduct and whether it has been addressed;
- age of the student and ability to understand consequences;
- student's discipline history and the frequency of inappropriate behavior;
- credibility of the student and willingness to acknowledge his or her behavior; and effect of the conduct on the school environment.

Suspension is an individualized determination. School staff will minimize the length of suspensions and expulsions to the extent practicable.

School staff will investigate a situation and gather evidence to determine what happened before making any disciplinary decisions or disciplinary referrals. School staff will consider whether the incident in question can be appropriately addressed directly with the student or students involved without making a disciplinary referral. School staff will also make reasonable efforts to speak with the student's parents before making any determination regarding school discipline. The students accused will also be allowed to respond to allegations prior to a suspension decision.

School staff will tell the student the part of the code he or she is accused of violating, the disciplinary measures the school will take, and the school's future expectations for the student. The student will be given a reasonable opportunity to respond to allegations prior to suspension.

School staff will provide the parent or guardian with written AND oral notice of the charge, discipline, and parents' and guardians' rights to hearing and/or appeal.

Notices will contain the following:

- Explanation for the reason of the suspension as well as terms of the suspension, including number of days, start date, and end date
- Contact information at the school for requesting that a meeting be scheduled and answering information.
- A signature line acknowledging receipt and understanding of the information in the notice.
- Include an invitation to the parent or guardian to attend a suspension conference to discuss the suspension at the parent or guardians' earliest possible availability.

After the school has decided to suspend a student, a parent or guardian can seek a review of the suspension.

As deemed necessary, the administration or instructor may request a re-engagement meeting with the parent or guardian of a student returning from a suspension. If the parent or guardian agrees, **appropriate school personnel will convene a meeting with the students and parents upon return to school from suspension to develop a plan for ensuring that the student is successfully reintegrated into the school community.** In developing a reengagement plan, Alain Locke will consider ways to prevent future school exclusions, forms of restorative action, and supportive interventions to aide in the student's academic success.

Note: Participation in a re-engagement meeting is not a prerequisite to returning to the school after a suspension.

## **EXPULSION GUIDELINES**

### Request for Expulsion Hearing

- Expulsion is a removal of a student from school for 11 or more consecutive days, up to a maximum of two calendar years.
- If a student's inappropriate behavior falls within Group 5 or 6 of the SCC, a school principal may request an expulsion hearing for the student.
- 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 review, the parent/guardian of the student will be sent a Notice of Request to Expel letter and a Notice of an Expulsion Review letter. These notices will provide a description of the incident, the date of the incident, the COC misconduct, and the time and date for the expulsion review. The notice of meeting will be sent by registered or certified mail or by personal delivery stating time, place, and purpose.



## Expulsion Hearing Procedures

In case of an expulsion, the hearing must take place before the student is expelled from the school. The school bears the burden of proving, by clear and convincing evidence, that the student committed the charged infraction and that expulsion is the only acceptable option. At a hearing, the student and the student's parent or guardian can present evidence that the student did not violate the code of conduct and/or that there are mitigating factors that mean the student should not be expelled.

- An expulsion hearing is held before the school board or an impartial hearing officer appointed by the board.
- The student has the right to bring an attorney or advocate.
- School staff must provide sufficient advance notice and flexibility to enable the student's parent or guardian as well as any attorney or advocate retained by the family to attend the expulsion hearing. School staff should grant at least one opportunity to reschedule a hearing date.

During any expulsion process, there will be a separation between staff member prosecuting the expulsion, hearing officer, and decision-maker.

The following procedures apply to expulsion hearings:

- School will be required to present more than hearsay evidence to prove allegations.
- All witnesses shall be required to appear and testify in person unless the witness is a student and the district and school present evidence that testifying would endanger the student's safety. Submissions of written or recorded testimony or testimony by phone may be permitted if both parties consent.
- The student must be given an opportunity to present witnesses or evidence and to cross-examine witnesses.
- School staff must make a recording of the proceeding and give the parents or guardians and student a copy.
- Any written hearing officer recommendation must be provided to the parent or guardian before the final decision by board.

The final decision of an expulsion must be made by the board based on a review of the evidence and relevant mitigating factors. In circumstances in which the board is considering a hearing officer's report, the board must allow the student and/or the student's parent or guardian an opportunity to address the board in closed session before the school board can decide to expel a student without educational services.

The student and the parent or guardian have a right to notice of the decision as soon as is practicable. The expulsion must:

- Provide a written explanation detailing the reasons for the decision.

- Detail the specific reasons why removing the student from the learning environment is in the best interest of the school, and the alternatives to expulsion that were considered and why they were rejected.
- Include a specific rationale as to the duration of the expulsion.

After the School has decided to expel a student, a parent or guardian can seek a review of the expulsion by requesting the review directly to the school administrator in writing.

**Appropriate school personnel will convene a meeting with the students and parents upon return to school from suspension, expulsion, or an alternative school setting to develop a plan for ensuring that the student is successfully reintegrated into the school community.**

## **ANTI-BULLYING POLICY**

It is the goal of Alain Locke Charter School (“Alain Locke”) to create a learning environment where students are protected from bullying so that they feel safe and supported in their efforts to succeed academically and develop emotionally into responsible caring individuals. The Alain Locke anti-bullying policy aligns with other policies of the school board.

Bullying is prohibited:

- 1) during any school-sponsored or school-sanctioned program or activity;
- 2) in school, on school property, and at designated areas during school entry or dismissal;
- 3) through the transmission of information from a school computer or network, or other electronic school equipment;
- 4) when communicated through any electronic technology or personal electronic device while on school property and at school-sponsored or school-sanctioned events or activities;
- 5) when it is conveyed that a threat will be carried out in a school setting, including threats made outside school hours with intent to carry them out during any school-related or sponsored program or activity;
- 6) when it is a behavior that occurs off campus but most seriously disrupts any student’s education.

### Definitions

- **“Bullying”** means any physical or verbal act or conduct, including communications made in writing or electronically, directed toward a student or students, and that meets all the following criteria.
  - An observed or perceived imbalance of power exists between the person(s) engaging in the bullying behavior(s) and the targeted student(s).
  - The behaviors are severe or pervasive (repeated over time), or there is a high likelihood that behaviors will be repeated. While bullying is often

characterized by repeated acts, sometimes a single incident constitutes bullying depending on the severity and if other elements of bullying are present.

- The intent of the person(s) engaging in the behavior is to cause physical or emotional harm to the targeted student(s).
- The behavior has or can be reasonably predicted to have one or more of the following effects: (a) placing the student in reasonable fear of harm to the student's person or property; (b) causing a substantially detrimental effect on the student's physical or mental health; (c) substantially interfering with the student's academic performance; or (d) substantially interfering with the student's ability to participate in or benefit from the services, activities, or privileges provided by a school.

Bullying may take various forms, including without limitation, one or more of the following: harassment, threats, intimidation, stalking, physical violence, sexual harassment, sexual violence, theft, public humiliation, destruction of property, or retaliation for asserting or alleging an act of bullying. This list is meant to be illustrative and non-exhaustive.

- **“Cyberbullying”** means using information and communication technologies to bully. This definition includes cyberbullying by means of technology that is not owned, leased, or used by the school district when an administrator or teacher receives a report that bullying through this means has occurred. This Policy does not require a district or school to staff or monitor any non-school-related activity, function, or program.

Bullying is contrary to state law and the policy of the school and school district.

#### Procedures for Prompt Reporting

All Alain Locke employees, including security officers, lunchroom staff, etc., who witness incidents of bullying or school violence or who possess reliable information that would lead a reasonable person to suspect that a person is a target of bullying, must:

- 1) intervene immediately in a manner that is appropriate to the context and ensures the safety of all people involved;
- 2) report the incident of bullying or retaliation to the Principal/ Designee as soon as practicable, but within 24 hours
- 3) cooperate fully in any investigation of the incident and in implementing any safety plan established by the Principal/ Designee

Any parent or guardian who witnesses or is notified of bullying has an obligation to advise the School Principal as quickly as practicable.

Reports can be made by email ([plove@alainlocke.org](mailto:plove@alainlocke.org)) or by phone at (773) 265-7233.

Anonymous reports will be accepted by the School Principal/ Designee. No disciplinary action will be taken on the sole basis of an anonymous report.

### Responsibilities of Students and Parents and Guardians

No student who witnesses bullying may stand by or participate in the bullying but must notify an adult at school and an adult at home as quickly as practicable. Any parent or guardian who witnesses or is notified of bullying has an obligation to advise the Principal/ Designee as quickly as practicable.

### Procedures for Prompt Investigation to Address Reports of Bullying

Investigation of a bullying incident shall be initiated within five (5) school days of receipt of complaint and completed within ten (10) school days. The investigation shall include:

- a. Identifying the perpetrator(s), target(s), and bystander(s), as well as any adult who witnessed the incident or may have reliable information about it.
- b. Conducting an individual interview in a private setting with the alleged perpetrator and target.
- c. Determining how often the conduct occurred, any past incident or continuing pattern of behavior, and whether the target's education was affected.
- d. Assessing the individual and school-wide effects of the incidents relating to safety and assigning school staff to create and implement a safety plan that will restore a sense of safety to the target and other students who have been impacted.
- e. When appropriate, preparing a report identifying his/her recommendation for individual consequences.

Alain Locke will respond to bullying in a manner tailored to the individual incident, considering the nature of the behavior, the developmental age of the student, and the student's history of problem behaviors and performance.

An investigation of a report of bullying will involve the appropriate personnel and other staff members with knowledge, experience, and training on bullying prevention, as deemed appropriate, in the investigation process.

The Principal/Designee shall keep communicating and working with all parties involved until the situation is resolved in a way that is consistent with Federal and State laws and rules governing student privacy rights.

When communicating incidents of bullying to the targeted student's parent/guardian, the Principal/Designee should consider whether the student may want to keep certain information confidential.

If the investigation determines a student engaged in bullying behaviors, the Principal/Designee shall provide the Misconduct Report to the parent/legal guardians of the student who engaged in the behaviors.

Parties involved would have an opportunity to meet with the Principal/Designee to discuss the investigation, the findings of the investigation, and the actions taken to address the reported incident of bullying. The Principal/Designee may advise the parent/legal guardian of other involved students that the Student Code of Conduct was followed. They may not advise them of specific consequences imposed, as that would violate the confidentiality of school-record information required by law.

Alain Locke will provide a victim of bullying with the appropriate services such as counseling at the school and other support services as needed.

If the student who engaged in bullying behavior is a student with a disability, the school shall convene the IEP Team to determine if additional supports and services are needed to address the inappropriate behavior and develop the student's social and emotional skills. The team may also consider examining the environment in which the bullying occurred to determine if changes to the environment are warranted. For example, the IEP Team should consider a behavior intervention plan for the student or review a current behavior intervention plan and revise if necessary. The Principal/Designee shall comply with the Procedural Safeguards for Discipline of Students with Disabilities/Impairments when considering interventions and consequences for students with disabilities.

#### School-wide Interventions to Prevent Bullying at School

The following interventions can be taken to address bullying, which may include, but are not limited to the following:

- Staff professional development to build the skills of all employees to implement this policy which includes providing developmentally appropriate strategies to prevent incidents of bullying and effectively stop them.
- Social work and counseling services provided by appropriate school personnel to address any individual concerns.
- Social-emotional learning lessons for instructors that are facilitated on a weekly basis including addressing bullying. The school's Social Emotional Learning Committee can also provide services and learning activities in the classroom to specifically address issues around bullying as needed.

## **STUDENT SEXUAL HARRASSMENT POLICY AND OTHER PROHTIBITED HARRASSMENT**

Alain Locke strives to maintain an environment free from discrimination, harassment, and other inappropriate behavior, where all students and employees treat each other with respect, dignity, and courtesy. Alain Locke does not tolerate harassment of any of our students, employees, or others who visit or work with the school. Any form of harassment based on a student's or other individual's race, color, religion, national origin, ancestry, citizenship, age, sex, sexual orientation, disability, marital status, pregnancy, veteran status, or other legally protected status is a violation of this Policy and is prohibited. The prohibited conduct under this Policy includes but is not limited to any form of harassment or conduct that violates applicable federal, state, or local law.

For purposes of this Policy, sexual harassment is defined as unwelcome or unwanted verbal, non-verbal or physical conduct of a sexual nature. Such conduct can occur between any individuals, regardless of their sex or gender. Examples of inappropriate sexual harassment include, but are not limited to:

- Unwanted sexual pressure, attention, invitations, requests, or advances;
- Leering, making sexual gestures, or displaying sexually suggestive objects, pictures, cartoons, or posters;
- Sexual advances, propositions, requests, jokes, flirtations, innuendo, or discussions of sexual activity (whether in conversation or through electronic or other means);
- Favoritism based on submission (consensual or nonconsensual) to sexual overtures;
- Verbal abuse of a sexual nature, including, but not limited to graphic verbal commentaries about an individual's body or sexually degrading words used to describe an individual; and
- Inappropriate touching or other physical contact including but not limited to patting, pinching, or brushing against another's body

A student who has been or is being harassed or otherwise subjected to inappropriate conduct, or simply has questions or concerns about what constitutes harassment or other violations of this Policy, should immediately contact the Principal or another trusted adult, including a parent, family member, instructor, or other Alain Locke staff member. A parent or family member who receives a report that a student has been or is being harassed or otherwise has been or is being subjected to inappropriate conduct, or simply has questions or concerns about what constitutes harassment or other violations of this Policy, should also immediately contact the Principal or a teacher or other staff member.

All Covered Individual Adults are required to report to the Title IX Coordinator all sex/gender-based discrimination, sex/gender-based harassment, sexual harassment, sexual misconduct, and retaliation concerns they become aware of in the scope of their role, whether it involves students, adults, or conduct between adults and students.

Alain Locke follows the district's guidelines for reporting sexual and other inappropriate behavior that are outlined in the Office of Student Protections & Title IX (OSP) Procedure Manual. Please visit the following link for more information about the mandatory reporting procedures: <https://www.cps.edu/globalassets/cps-pages/about-cps/departments-directory/equal-opportunity-compliance-office-eoco/office-of-student-protections--title-ix-osp-procedure-manual-effective-august-14-2020-versio-3.pdf#bookmark=id.5skq44h0lwuz>

Complaints of sexual harassment or other inappropriate behavior will be promptly investigated, and corrective action will be taken where appropriate. Investigations and corrective action will be conducted and implemented in a confidential manner to the extent possible, however, confidentiality cannot be guaranteed in all circumstances.

#### Prohibition of Reprisal/Retaliation and Consequences for False Accusation

Alain Locke will not dismiss bullying as typical student behavior or assume it is not serious. The school prohibits reprisal or retaliation against any person who reports an act of bullying. Any employee/contract who does so will have violated this policy and the Principal shall consider employee discipline for such violations.

Retaliation in any form against a student who makes a complaint or participates in an investigation of a complaint under this Policy is prohibited. Students and their parents and family members can report sexual or other harassment or other inappropriate conduct under this Policy and participate in an investigation in good faith without fear of reprisal or retaliation by Alain Locke or any Alain Locke representative against a student for making a complaint or participating in an investigation. Concerns or complaints regarding retaliation also should be immediately reported to the Principal.

If a person has been found to have falsely accused another of bullying as a means of retaliation or as a means of bullying, then the appropriate consequences will be determined on a case-by-case basis.

#### Policy Evaluation Process

Alain Locke will continuously assess the outcomes and effectiveness of this policy with the appropriate school personnel including the types of bullying that are common or occurring, the areas where bullying occurs and the frequency of victimization. The information gathered will be provided to school administrators and reported to the district.

### **PROFESSIONAL DEVELOPMENT**

Alain Locke Charter School provides professional development aimed at equipping staff with the necessary training to effectively carry out these discipline responses. The goal is to ensure that all school staff members have the skills and support that they need to implement the school's discipline policy.

Our school makes reasonable efforts to provide ongoing professional development to teachers, administrators, school board members, school resource officers and staff on the adverse consequences of school exclusion and justice system involvement, effective classroom management strategies, culturally responsive discipline, implicit bias, bullying, and developmentally appropriate disciplinary methods that promote positive and healthy school climate.

## **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. Any battery against school personnel.

**Arrest** - Detention of a person by a police officer resulting from a criminal charge and a complaint filed with the police by school personnel or the victim. When an act of misconduct warrants arrest, the victim, principal, or his designee must serve as a complaining witness.

**Arson** - The act of knowingly damaging, by means of fire or explosive, a building and/or the personal property of others.

**Assault** - Any threat which causes a reasonable apprehension by the victim of receiving a battery.

**Attempted murder** - Any act which constitutes a substantial step toward intended commission of murder.

**Battery** - The act of causing bodily harm to, or unwanted bodily contact with, another without legal justification, such as self-defense.

**Bomb threat** – A false indication that a bomb or other explosive of any nature is concealed in a place that would endanger human life if activated.

**Bullying behaviors** – Verbal or non-verbal behavior that occurs repeatedly over time and causes physical and/or emotional harm to another. Such behavior may include, but is not limited to, teasing, taunting, threatening, hitting, stealing, or destroying personal property.

**Burglary** - Knowingly and without authority entering or remaining within a building or vehicle with intent to commit therein a felony or theft.



**Contraband** - Property which is illegal to possess.

**Delivery** - The act of selling or distributing fireworks, alcohol, illegal drugs, narcotics, controlled substances, or contraband to others.

**Disorderly conduct** - An act done in an unreasonable manner to alarm or disturb others and which provokes a breach of the peace.

**Due process** - The notification to the student and the parent concerning alleged act(s) of misconduct, the right to appeal, the opportunity to answer the charges, and the reason as to why disciplinary action is necessary.

**Expulsion** – The student is removed from the home school for more than ten days and up to two calendar years. An expulsion requires a due process hearing including written notification of charges. The student and parent are informed of the due process hearing by registered or certified mail or by personal delivery. This definition does not apply to exclusion of a student from school for failure to comply with immunization requirements.

**Extortion** - The obtaining of money or information from another by coercion or intimidation.

**Fighting** - Physical contact between two or more individuals with intent to harm. (It is not an act of misconduct to defend oneself as provided by the law.)

**Firearm** - 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.

**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, and whose members individually or collectively engage in or have engaged in a pattern of criminal 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 further a common criminal objective. Intent can be implied from the character of the individual's acts as well as the circumstances surrounding the misconduct.

**Hacking** – Intentionally gaining access to a computer or computer network by illegal means or without authorization.

**Inappropriate sexual conduct** - Includes unwelcome sexual contact or consensual but inappropriate displays of affection; indecent exposure or other sex crimes which do not involve the use of force.

**Indecent proposition** - An unsolicited sexual proposal.

**Intimidation** - Engaging in behavior that prevents or discourages another student from exercising his/her right to education. Such prohibited behavior includes the use of threats, coercion, or force against students, school personnel and school visitors.

**Kidnapping** - Secret confinement of another against his/her will or transportation of another by force or deceit from one place to another with the intent to secretly confine.

**Leaving the grounds without permission** - "School grounds" refers to the school and the school property adjacent to the building.

**Loitering** - Occupying an unauthorized place in the school or on the school grounds.

**"Look-alike" substance** - 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.

**Murder** - Killing of an individual without legal justification.

**Overt display of gang affiliation** - Any act, e.g., wearing clothing or paraphernalia, the display of gang signs, symbols, and signals that signifies or exhibits an individual's affiliation with a gang that seriously disrupts the educational process. Gang affiliation can be implied from the character of the individual's acts as well as the circumstances surrounding the misconduct.

**Police notification** - A report filed with the Police Department. The action is recorded in the student's file.

**Possession** - Physical control over real or personal property (whether lost, found, mislaid, or stolen), such as clothing, lockers, or bags.

**Prohibited devices** - Prohibited devices, such as pagers, are listed in the Illinois School Code Section 34-18.9.

**Robbery** - The taking of personal property in the possession of another by use of force or by threatening the imminent use of force.

**Security Hazard** – Anything that undermines, disrupts, or circumvents an information security system, regardless of intent.

**Sex violations** - Sex crimes which include the use of force such as criminal sexual assault, aggravated criminal sexual assault, criminal sexual abuse, and aggravated criminal sexual abuse.

**Sexual harassment** - Unwelcome sexual or gender-based conduct (either physical or verbal) and/or conduct of a sexual nature which is sufficiently severe, persistent, or pervasive so as to limit a student's ability to participate in or benefit from the educational program or which creates a hostile or abusive school environment.

**Suspension** - The involuntary removal of a student from class attendance or school attendance for 10 days or less. (Any such removal requires parent notification and minimal due process, including oral or written notification of the charges and an opportunity for the student and/or parent to respond to the charges.) Suspension may not be used serially for a single act of misconduct. A student may be considered as trespassing if present on school grounds during the period of suspension. Schools should attempt to ensure the student's receipt of class assignments for the period of the suspension, and the academic grade will not be affected when class assignments are completed satisfactorily.

**Short-Term Suspensions** –The student is removed from school for three days or less.

**Long-Term Suspensions** – The student is removed from school for four to ten days.

**Theft** - The obtaining or exerting of unauthorized control over the personal property of another.

**Trespassing** - Entrance onto school grounds when previously prohibited or remaining on school grounds after receiving request to depart.

**Vandalism** - The willful or malicious destruction or defacing of school property or the property of others.

**Weapon** - Any object that is commonly used to inflict bodily harm (e.g., pistol, revolver or other firearm, explosives, switchblade knife, bludgeon, black-Jack, sling-shot, sand-club, sand-bag, metal knuckles, ballistic knife, tear gas gun, projector bomb, or any object containing noxious liquid gas, grenade, bottle, or other container containing an explosive substance of over one-quarter ounce, cartridge, or any components of a machine gun or rifle), 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 (e.g., box cutter, live ammunition, baseball bat, scissors, lock, laser pointer, other knife, razor, broken bottle or other piece of glass, or "look-alikes" of such objects).