

**University of
Chicago
Charter School
Corporation**

**Donoghue
NKO
Woodlawn**

**Student Conduct
Policy**

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and

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And

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The University of Chicago Charter School

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Section I.
Introduction – Mission
and Expectations

The mission of the University of Chicago Charter School is to: 1) prepare students for success in college, beginning in prekindergarten; 2) contribute to the community through student research, leadership, and service, as well as programs offered to children and families beyond the school day and school year; and 3) serve as a site of professional development where teachers, support staff, and principals increase their capacity to educate all students well. The School takes responsibility to engage students in ambitious intellectual work, provide students with academic and social supports, and ensure a safe and orderly learning environment. The School develops and communicates clear expectations for student conduct and works to foster positive relationships among all members of the School community. Students are expected to take responsibility to do hard intellectual work, demonstrate respect for themselves, each other, teachers, administrators, staff, and school volunteers, and contribute to a peaceful environment for learning.

Section II.

School Commitments Regarding the Student Conduct Policy

The School is committed to an instructive, corrective, and restorative approach to respond to student misconduct. If misconduct incidents arise that threaten student and staff safety or severely disrupt the educational process, the response should minimize the impact of the incident, repair harm, and address the underlying needs behind the student misconduct. In accordance with this Student Conduct Policy, all responses to student misconduct should be applied by School administrators, teachers and staff respectfully, fairly, consistently, and in a manner which considers students' instructional time whenever possible.

Among the many possible disciplinary interventions and consequences available the School, school exclusions, such as out-of-school suspensions and expulsions, are the most serious. The School will limit the number and duration of expulsions and suspensions to the greatest extent practicable and they shall be used only for legitimate educational purposes. Unless otherwise required by federal or State law, the School will not institute zero-tolerance policies requiring the suspension or expulsion of students for particular behaviors. Furthermore, the School will not advise or encourage students to drop out voluntarily due to behavioral or academic difficulties.

A student is subject to disciplinary action for engaging in prohibited student conduct, as described in this Policy and identified in Groups One through Six,¹ whenever the student's conduct is reasonably related to school or school activities, including, but not limited to actions of students during school hours, before and after school, while on school property, at all school-sponsored events, field trips, internships, and community activities, and while using the University of Chicago Charter School Network or any Information Technology Device when the actions affect the mission or operation of the School. Students may also be subject to this Conduct Policy for engaging in prohibited conduct that occurs off-campus or during non-school hours when the misconduct disrupts or may disrupt the safe, orderly, and peaceful learning environment of the School.

This Conduct Policy applies to students in the first through twelfth grades enrolled at any of the University of Chicago Charter School's campuses— North Kenwood/Oakland, Donoghue, and Woodlawn. Campus Directors may refer to this Policy as a guide and use discretion in applying it to students in prekindergarten² or kindergarten who engage in prohibited conduct. Disciplinary consequences for students in grades 1-5 exhibiting prohibited conduct will not be the same, or necessarily as severe, as those students in grades 6-12.

This Student Conduct Policy does not impose monetary fines or fees as a disciplinary consequence and the School will not implement such a disciplinary response, except that, as appropriate, the School may consider requiring a student to provide restitution for lost, stolen or damaged property. This Student Conduct Policy does not impose academic punishments for behavioral violations and the School will not impose such punishments. This Student Conduct Policy adheres to Section 10.22.25b of the Illinois School Code in that it provides that students from indigent families will be provided with appropriate assistance in complying with the school dress code or uniform policy and this Policy does not impose punishments for hairstyles, including hairstyles historically associated with race, ethnicity or hair texture, including but not limited to protective hairstyles, such as braids, locks and twists. UCCS Dress Codes and Uniform policies, attached as Exhibit A, to this Code, do not restrict or place limitations on student's hairstyles. (See Exhibit A.)

¹ The University of Chicago Charter School Conduct Policy draws from the Chicago Public Schools (CPS) Student Code of Conduct (effective September 8, 2015), particularly with respect to identifying prohibited conduct contained in Groups One through Six of the identified prohibited conduct. However, this Student Conduct Policy is not consistent in all respects with the CPS Student Code of Conduct and careful attention should be given to review this Policy generally, the prohibited conduct identified in each of the six groups, and the interventions and consequences identified for each group of prohibited conduct.

² Consistent with state law, in no event will a prekindergarten student be expelled as a disciplinary consequence for prohibited behavior.

Special attention will be paid to students with individualized education plans (IEPs) and Section 504 Plans who engage in prohibited conduct, ensuring that responses and interventions are consistent with any applicable IEP or Section 504 Plan and comply with the student's rights under the Individuals with Disabilities Education Act (IDEA) or Section 504 of the Rehabilitation Act of 1973.

The University of Chicago Charter School has created, maintains and implements an age-appropriate policy against sexual harassment, which is included in this Code of Conduct at Section IX, pursuant to Illinois Public Act 101-0418.

The University of Chicago Charter School will maintain a Parent-Teacher Advisory Committee to develop with the Board of Directors policy guidelines on student discipline, including school searches and bullying prevention.

The School will make reasonable efforts to provide ongoing professional development to teachers, administrators, 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, and developmentally appropriate disciplinary methods that promote positive and healthy school climates.

This Student Conduct Policy shall be provided to the parents or guardians of each student within 15 days after the beginning of each school year, or within 15 days after the starting classes for a student who transfers into the School during the school year. The School will also inform the students of the contents of this Policy.

Section III.

Prohibited Conduct, Interventions and Consequences

This Conduct Policy describes six groups of prohibited conduct for which students will receive interventions and/or consequences. The acts of prohibited conduct are listed in six different groups, according to the degree of disruption to the learning environment as follows:

- Group 1 lists conduct that is inappropriate.
- Group 2 lists conduct that disrupts the learning environment.
- Group 3 lists conduct that seriously disrupts the learning environment.
- Group 4 lists conduct that very seriously disrupts the learning environment.
- Group 5 lists conduct that most seriously disrupts the learning environment.
- Group 6 lists conduct that most seriously disrupts the learning environment and will result in a contact to the Chicago Police Department.

This Discipline Policy is not intended to be inclusive of all possible student misconduct. Campus Directors and/or their designees are responsible for addressing inappropriate student conduct not specified in this Policy with appropriate consequences based upon a fair process.

Campus Directors and/or their designees have the authority to assign interventions and consequences based on his/her assessment of the best interest of the school community, including available school resources, the needs of any student or staff harmed, and the rights of the student engaged in the inappropriate conduct, in alignment with this Student Conduct Policy. The interventions and consequences listed for each Group may be imposed. The appropriate discipline to impose will be assessed on a case-by-case basis and all out-of-school discipline will be determined based on the procedures listed below.

GROUP ONE

PROHIBITED CONDUCT WHICH IS INAPPROPRIATE

- Running and/or making excessive noise in the hall or building
- Leaving the classroom without permission
- Displaying behavior disruptive to the orderly process of instruction, student learning, or advising
- Loitering, or occupying an unauthorized place in the school or school grounds
- Failing to attend class without a valid excuse
- Persistent tardiness to school or class
- Violation of school uniform policy
- Use of the University of Chicago Charter School Network (“Network”) for the purpose of accessing non-educational material
- Unauthorized or use possession of an electronic paging device. Use of a mobile phone,² video recording device, personal digital assistant (PDA), or other electronic device in any manner that disrupts the educational environment or violates the rights of others, including using the device to take photographs in locker rooms or bathrooms, cheat, or otherwise violate student conduct rules

AVAILABLE INTERVENTIONS AND CONSEQUENCES

- Documented Teacher, Student, Parent/Guardian, and/or Administrator Conference focused on expectation violated, cause of behavior, and strategy to prevent recurrence
- Recommended instructive, corrective, or restorative response
- Loss of a privilege, e.g., recess, for 1 or 2 days

² Students may bring mobile phones to school; however, they must be turned off and put away before entering the school, and must not be out or used during class periods. Cell phones may be confiscated for the day by the Dean of Students, in keeping with this policy, to be returned at day’s end. In emergency situations, or circumstances authorized by the Campus Director or designee, students may leave mobile phones in the main office to be answered by staff.

GROUP TWO

PROHIBITED CONDUCT WHICH IS DISRUPTIVE

- Posting or distributing unauthorized or other written materials on school grounds
- Leaving the school or a class trip without permission
- Interfering with school authorities and programs through walkouts or sit-ins (pre-approval for student protest is recommended)
- Initiating or participating in any unacceptable minor physical actions
- Exhibiting or publishing any profane, obscene, indecent, immoral, threatening, disrespectful, libelous, or offensive written materials, language or gestures
- Possession (physical control over, such as contained in clothing, lockers, or bags) and/or use of tobacco products, matches, cigarette lighters, or rolling papers
- Failing to provide proper identification
- Defying (disobeying) the authority of school personnel
- Unauthorized use of school parking or other school areas
- Use of the Network for the purposes of distribution or downloading non-educational material
- Failing to abide by school rules and regulations not otherwise listed in Group Two of this Policy, the commission of which is disruptive to the school's educational process

AVAILABLE INTERVENTIONS AND CONSEQUENCES

(Whenever possible, interventions and consequences that do not exclude the student from his or her regular educational schedule should be attempted first).

- Documented Teacher, Student, Parent/Guardian, and/or Administrator Conference focused on expectation violated, cause of behavior, and strategy to prevent recurrence
- Recommended instructive, corrective, or restorative responses
- In-school suspension for up to three days
- Detention -- lunch, before school, after school, or Saturday
- Loss of one or more privileges, e.g., recess, for up to three days

GROUP THREE

PROHIBITED CONDUCT WHICH IS SERIOUSLY DISRUPTIVE

- Disruptive conduct on a school bus
- Gambling-- participating in games of chance or skill for money or things of value
- Fighting -- physical contact between two people with intent to harm, but no injuries result
- Profane, obscene, indecent, and immoral or seriously offensive language and/or gestures, propositions, behavior, or harassment, including language, gestures, propositions, conduct, or harassment based on race, color, national origin, sex, gender, sexual orientation, age, religion, gender identity, gender expression or disability
- *Forgery -- false and fraudulent making or altering of a document or the use of such document³
- Plagiarizing, cheating and/or copying the work of another student or other source
- Overt display of gang affiliation⁴ -- any act, e.g., wearing clothing or paraphernalia or the display of gang signs, symbols, and signals that signifies or exhibits an individual's affiliation with a gang that seriously disrupts the school's educational process
- Bullying
- Use of mobile telephones or other information technology device to harass, incite violence, or interrupt other students' participation in school activities, including use of devices to record others without permission or unauthorized distribution of recordings
- Use of the Network or an Information Technology Device for a seriously disruptive unauthorized purpose not otherwise listed in this Policy
- Second or more documented violations of prohibited conduct in Group One or Two prohibited conduct categories
- Any conduct not otherwise listed as prohibited conduct in Groups One through Three of this Disciplinary Policy that seriously disrupts the educational process

AVAILABLE INTERVENTIONS AND CONSEQUENCES

(Whenever possible, interventions and consequences that do not exclude the student from his/her regular educational schedule should be attempted first.)

- Documented Teacher, Student, Parent/Guardian, and Administrator conference focused on expectation violated, cause of the misconduct, and strategy to prevent recurrence

³ This conduct is marked with an asterisk because the misconduct may be in violation of the law.

⁴ 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. Intent can be implied from the character of the individual's acts as well as the circumstances surrounding the misconduct.

- Recommended instructive, corrective, or restorative response
- Suspension from bus services, if the infraction occurred on a bus
- In-school suspension up to three days
- Detention -- lunch, before school, after school, or Saturday
- Loss of one or more privileges, e.g., recess, for 1-5 days

ADDITIONAL CONSEQUENCES AVAILABLE FOR REPEATED VIOLATIONS OF GROUP THREE PROHIBITED CONDUCT

In school suspension, out-of-school suspension, or a combination of in-school and out-of-school suspension for up to three days

- Confiscation of mobile phone or pager, if the infraction involved a cell phone or pager
- Suspension of Network privileges for up to one year, in addition to any other disciplinary action listed, if the infraction applies to a Network or Information Technology Device offense

GROUP FOUR

Prohibited conduct in Group 4 marked with an asterisk indicates that the conduct is or may be in violation of the law and may result in a contact to the Chicago Police Department.

PROHIBITED CONDUCT WHICH IS VERY SERIOUSLY DISRUPTIVE

- *Assault -- an attempt or reasonable threat to inflict injury on someone with a show of force that would cause the victim to expect an immediate battery
- *Battery (unwanted bodily contact with another person without legal justification) or aiding or abetting in the commission of a battery which does not result in a physical injury
- *Fighting -- physical contact between two or more individuals with intent to harm, or physical contact between two people with intent to harm that results in injury
- *False activation of a fire alarm that does not cause a campus to be evacuated or emergency services to be notified
- *Extortion - obtaining money or information from another by coercion or intimidation
- *Vandalism (willful or malicious destruction or defacing of the property of others) or criminal damage to property at a cost less than \$500
- *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 not exceeding \$150 in value
- *Possession, use, sale, or distribution of fireworks
- *Trespassing on any University of Chicago Charter School campus -- entering School property when previously prohibited or remaining on school grounds after receiving a request to depart
- *Knowingly or intentionally using the Network or Information Technology Devices to spread viruses on the Network
- Use or possession of alcohol in school or at, before, or after a school related function, first documented behavior
- 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
- Any prohibited conduct and behavior not otherwise listed in Groups One through Four of this Policy, the commission of which is very seriously disruptive to the school's educational process

AVAILABLE INTERVENTIONS AND CONSEQUENCES

(Whenever possible, interventions and consequences that do not exclude the student from his/her regular educational schedule should be attempted first.)

- Documented Teacher, Student, Parent/Guardian, and Administrator conference focused on expectation violated, cause of behavior, and strategy to prevent recurrence
- Recommended instructive, corrective, or restorative response
- Detention -- lunch, before school, after school, or Saturday
- Students may be suspended from Network privileges for improper use of the network for up to one year, in addition to any other interventions and consequences listed.
- In-school suspension, out-of-school suspension, or a combination in-school and out-of-school suspension for up to three days

REPEATED VIOLATIONS OF ANY GROUP FOUR PROHIBITED CONDUCT

- Second or repeated violations of possession of a dangerous object may result in an expulsion for an appropriate period. Final decisions regarding expulsions are made by the Board of Directors of UChicago Charter pursuant to the procedures set forth in this policy. Repeated violations of Group Four conduct can be assessed as Group Five prohibited conduct and most seriously disruptive behavior for disciplinary response.
- Second or repeated violations of use or possession of alcohol in school or at, before, or after a school related function may result in an expulsion for an appropriate period. Final decisions regarding expulsions are made by the Board of Directors of UChicago Charter pursuant to the procedures set forth in this policy. Repeated violations of Group Four conduct can be assessed as Group Five prohibited conduct and most seriously disruptive behavior for disciplinary response.

GROUP FIVE

Violations in Group 5 marked with an asterisk indicate that the conduct is or may be in violation of the law and may result in a contact to the Chicago Police Department.

PROHIBITED CONDUCT WHICH ARE MOST SERIOUSLY DISRUPTIVE BEHAVIORS

- *Aggravated assault -- assault with a deadly weapon or done by a person who conceals his/her identity, or any assault against school personnel
- *Burglary -- knowingly and without authority entering or remaining in a building or vehicle with intent to commit a felony or theft therein
- *Theft or possession of stolen property exceeding \$150 in value
- *Use of intimidation,⁵ credible threats of violence, coercion, or persistent severe bullying. Intimidation is behavior that prevents or discourages another student from exercising his/her right to education, or using force against students, school personnel and school visitors.
- *Gang activity⁶
- *Inappropriate sexual conduct, including unwelcomed sexual contact, indecent exposure, transmitting sexually suggestive images through information technology devices, or other sexual activities which do not involve the use of force
- *Engaging or attempting to engage in any illegal behavior that interferes with the school's educational process
- *Persistent or severe acts of 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 to limit a student's ability to participate in a or benefit from the educational program or which creates a hostile or abusive school environment
- *False activation of a fire alarm that causes a campus facility to be evacuated or causes emergency services to be notified
- *Battery, or aiding or abetting in the commission of a battery, which results in a physical injury. Battery means unwanted bodily contact with another person without legal justification.

⁵ Intimidation is engaging in conduct that prevents or discourages another student from exercising her or her right to education. Such prohibited behavior includes the use of threats, coercion, or force against students, school personnel and school visitors.

⁶ 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 is any act (e.g., recruitment with the 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.

- *Use of any computer, including social networking websites, or use of any information technology device⁷ to threaten, stalk, harass, bully or otherwise intimidate others. Or, hacking (intentionally gaining access by illegal means or without authorization) into the Network to access student records or other unauthorized information or to otherwise circumvent the information security system.
- *Vandalism (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
- *Use or possession of illegal drugs, narcotics, controlled substances, “look-a-likes”⁸ of such substances, or contraband,⁹ or use of any other substance for the purpose of intoxication in or before school or a school-related function.
- Second or repeated violation of use or possession of alcohol in school or at, before or after a school related activity

AVAILABLE INTERVENTIONS AND CONSEQUENCES

- In-school suspension, out-of-school suspension, or combination of in-school and out-of-school suspension for three to five days. When the suspension is assigned, a plan will be created to address the behavior and work towards preventing future behavioral incidents, restoring relationships, and addressing student needs.

ADDITIONAL CONSEQUENCES AVAILABLE

- Recommend instructive, corrective, or restorative response
- Expulsion, for an appropriate period, pursuant to the procedures set forth in this policy.
- For behaviors involving the improper use of the Network or information technology devices, revocation of network privileges for up to two years

⁷ Information technology devices include, but are not limited to: computers, mobile phones used to exchange or access information, pagers, and personal digital assistants, 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.

⁸ A “look-alike” substance is 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.

⁹ Contraband is property that is illegal to possess.

GROUP SIX

All violations in Group 6 will result in contacting the Chicago Police Department. Behaviors marked with an asterisk indicate that the misconduct is or may be a violation of the law.

PROHIBITED CONDUCT WHICH CONSTITUTES THE MOST SERIOUSLY DISRUPTIVE CONDUCT

- *Intentionally causing or attempting to cause all or a portion of the Network to become inoperable (the Network is unable to perform at the level of functionality intended by its maintainers)
- *Arson -- knowingly damaging, by means of fire or explosive, a building and/or the personal property of others
- *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
- *Robbery -- taking personal property in the possession of another by use of force or by threatening the imminent use of force
- *Sex violations or aiding and abetting in the commission of a sex violation¹⁰
- *Possession, use and/or concealment of a firearm/destructive device¹¹ or other weapon¹² or “look-alikes” of weapons, or use or intent to use any other object to inflict bodily harm
- *Sale, distribution, or intent to sell or distribute alcohol, illegal drugs, narcotics, controlled substances, “look-alikes” of such substances, contraband, or any other substance used for the purpose of intoxication, or repeated violations of the use or possession of illegal drugs, narcotics, controlled substances, “look-alikes” of such substances, or contraband, or use of any other substance for the purpose of intoxication
- *Battery, aggravated battery (battery that causes great harm, is done with a deadly weapon, is done by a person who conceals his/her identity), or the use of physical force against a teacher, administrator, staff member, or school volunteer or aiding and abetting in the commission of an aggravated battery of a teacher, administrator, staff member or school volunteer
- *Aggravated battery or aiding or abetting in the commission of an aggravated battery of a student
- *Murder
- *Attempted murder

¹⁰ Sex violations are sex crimes that include the use of force such as criminal sexual assault, aggravated criminal sexual assault, criminal sexual abuse, and aggravated criminal sexual abuse.

¹¹ 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.

¹² 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. A knife, brass knuckles or other knuckle weapon regardless of composition, a billy club, are considered weapons.

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

AVAILABLE INTERVENTIONS AND CONSEQUENCES

- In-school suspension, out-of-school suspension, or combination in-school and out-of-school suspension for five days. A student may be suspended for up to ten days with written justification. When the suspension is assigned, a plan will be created for preventing future behavior incidents, restoring relationships, and addressing student needs.
- Expulsion for an appropriate period, pursuant to the procedures set forth in this policy.
- For students who possess, use and/or conceal a firearm/destructive device or other, dangerous weapon, an expulsion will be requested with a recommendation for expulsion of the student for at least one year.¹³

ADDITIONAL CONSEQUENCES AVAILABLE

- Recommend instructive, corrective, or restorative response
- For behaviors involving the improper use of the Network or information technology devices, revocation of network privileges indefinitely

¹³ State law requires that a student who brings one of the following weapons to school, any school-sponsored activity or event, shall be expelled for a period of not less than one year: a firearm, a knife, brass knuckles or other knuckle weapon regardless of composition, a billy club, or any other object if used or attempted to be used to cause bodily harm, including “look-alikes” of any firearm. (105 ILCS 5/10-22.6(d)). Such requirement must be construed in a manner consistent with the Individuals with Disabilities Education Act (IDEA) and the expulsion determination or recommendation may be modified by the School’s CEO on a case-by-case basis consistent with applicable law.

Section IV.
Students with Disabilities

Special care must be taken when considering disciplinary action regarding students with individualized education plans (IEPs). Students with IEPs may be suspended for a total of 10 consecutive or 10 cumulative school days in one school year without providing special education procedural safeguards. Before and after school detentions do not count towards the 10-day limit. As long as students with IEPs are being provided with special education services, in-school suspensions do not count towards the 10-day limit. Campus Directors do not have to suspend students with IEPs for the mandatory periods set forth in this Conduct Policy for a single offense. The Campus Director has discretion to be flexible in the amount of days of suspension given to each student with an IEP.

Students with IEPs may be suspended in excess of 10 days in certain circumstances. In order to suspend a student with an IEP in excess of 10 days, the Campus Director must first consult with the CPS Office of Due Process and Mediation at 773-553-1905.

When Campus Directors anticipate a referral for expulsion, the following apply:

1. The Campus Director must provide a written notice to the parent/guardian or surrogate parent of the intervention or consequences being considered and the date of an IEP meeting, which must be held within 10 days of the date of the decision to discipline the student.
2. The IEP team must:
 - A. Determine whether the misconduct is related to the student's disability by reviewing evaluation and diagnostic results, information from the parent/guardian, observations of the student, and the student's IEP and placement. The behavior is not a manifestation of the student's disability if:
 1. The student was given appropriate special education supplementary aids and intervention strategies; and
 2. The disability does not impair the ability to control behavior.
 - B. Review and revise, if necessary, the behavior intervention plan or, as necessary, develop a functional behavior assessment and intervention plan to address the misconduct.
 - C. Determine the appropriateness of an interim alternative education setting and, as indicated, include in the IEP those services and modifications that will enable the student to continue to participate in the general curriculum and address the behavior so that it will not recur.

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

If the student's behavior is a manifestation of the disability, the student's placement may be changed to an appropriate interim educational setting if the student carried a weapon to school or a school function or knowingly possessed or used illegal drugs or sold or solicited the sale of a controlled substance while at school or at a school function.

For special education students with disabilities whose misconduct presents a danger to themselves or others in a manner other than those specified above, please consult with the CPS Office of Due Process and Mediation at 773-553-1905.

Section IV. Suspension

In-School Suspension

In-school suspension is the removal of a student from his or her regular educational schedule to an alternative supervised setting inside the school building to engage in structured educational activities. Before assigning a student to in-school suspension, the student will be informed of his/her reported misconduct and provided an opportunity to respond. A copy of the misconduct report that formed the basis for the in-school suspension will be provided to the student's parents/guardians. Students will be given the opportunity to complete classroom work during the in-school suspension for equivalent academic credit.

Out-of-School Suspension

An out-of-school suspension is the removal of the student from class attendance or school attendance. Campus Directors or designees have the authority to suspend a student from school for gross disobedience or misconduct for up to ten (10) school days. Such suspension shall only be assigned if identified as an available intervention or consequence for the applicable student misconduct at issue. School administrators shall make reasonable efforts to resolve threats, address disruptions, and minimize the length of suspensions to the greatest extent practicable.

A student may be assigned an out-of-school suspension **for one to three days** if:

- Out-of-school suspension is listed as an available consequence in the Student Conduct Policy; and
- The Campus Director or designee determines that the student's continuing presence in school would pose a threat to school safety or a disruption to other students' learning opportunities; and
- The student was informed of his/her reported misconduct and provided an opportunity to respond.

A student may be assigned an out-of-school suspension for **more than three days** if:

- Out-of-school suspension is listed as an available consequence in the Student Conduct Policy and other appropriate and available behavioral and disciplinary interventions have been exhausted; and
- The Campus Director or designee determines that 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; and
- The student was informed of his/her reported misconduct and provided an opportunity to respond.

If a student is suspended for 4 (4) or more school days, the Campus Director or designee will determine what, if any, appropriate and available support services will be provided to the student during the length of his or her suspension and will provide any appropriate and available support services.

A student serving an out-of-school suspension is not allowed to come onto school property, participate in extracurricular activities, or attend school sponsored events. A student may be considered trespassing if he or she comes onto school grounds while suspended out of school.

Out-of-school suspensions are excused absences. The Campus Director will ensure that a student serving an out-of-school suspension is able to obtain homework, and upon the student's return, provided with the opportunity to make up any quizzes, tests, special projects, or final exams given during the period of the suspension. In all circumstances, suspended students, including those students suspended from the school bus who do not have alternate transportation to school,¹⁴ shall have the opportunity to make up work for equivalent academic credit.

Upon the return of a student from serving an out-of-school suspension, the Campus Director or designee shall facilitate the implementation of a plan, as appropriate, to facilitate the re-engagement of the student to his or her school program and activities. Parents of the student may be invited, but are not required, to attend the re-engagement meeting upon the student's return. Forms for re-entry provided to students at the time of disciplinary action do not require student's parents to attend. (See Exhibit B).

Suspension Procedural Requirements

The Campus Director or designee shall implement suspension procedures that provide, at a minimum, for each of the following:

- A conference during which the charges will be explained and the student will be given an opportunity to respond to the charges before he or she may be suspended. A pre-suspension conference is not required, and the student can be immediately suspended when the student's presence poses a continuing danger to persons or property or an ongoing threat of disruption to the educational process. In such cases, the notice and conference shall follow as soon as practicable.
 - Written notice of the suspension will be immediately sent to the Parent(s)/Guardian(s) which will include:
 - a full statement of the specific misconduct resulting in the decision to suspend;
 - a rationale or an explanation of how the chosen number of suspension days will address the threat or disruption posed by the student or his or her act of misconduct for the duration of the suspension;
 - information, for a suspension of 3 school days or less, providing an explanation that the student's continuing presence in school would either pose a threat to school safety or a disruption to other students' learning opportunities;
 - information, for a suspension of 4 or more school days, providing an explanation that other appropriate and available behavioral and disciplinary interventions have been exhausted, as to whether other
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¹⁴ It shall be the responsibility of a student's Parent/Guardian to notify the School that a student suspended from the school bus does not have alternate transportation to school.

interventions were attempted or that it was determined that no other interventions were available for the student, and that the student's continuing presence at 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;

- information, for a suspension of 5 or more school days, including all of the information noted when a student is suspended for 4 or more school days and documentation determining what, if any, appropriate and available support services will be provided to the student during the length of his or her suspension.
 - notice regarding the right to review the suspension of the student.
- A summary of the notice, including the reason for the suspension and the suspension length, will be shared with the Board of Directors.
 - Upon request of the Parent(s)/Guardian(s), a review of the suspension shall be conducted by a hearing officer appointed by the Board of Directors. At the suspension review hearing, the student's Parent(s)/Guardians(s) may appear and discuss the suspension with the hearing officer and may be represented by counsel. After receipt of the hearing officer's written summary of the evidence presented at the hearing, the Board of Directors shall take such action as it finds appropriate. If the suspension is upheld, the final written decisions shall specifically detail the findings related to the following:
 - for a suspension of 3 school days or less, an explanation that the student's continuing presence in school would either pose a threat to school safety or a disruption to other students' learning opportunities;

for a suspension of 4 or more school days, an explanation that other appropriate and available behavioral and disciplinary interventions have been exhausted, as to whether other interventions were attempted or that it was determined that no other interventions were available for the student, and an explanation that the student's continuing presence at 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; and an explanation of what, if any, appropriate and available support services will be provided or were provided to the student during the length of his or her suspension.

Section VI.

Expulsion

Expulsion is the permanent removal of a student from the University of Chicago Charter School by a vote of the Charter School's Board of Directors. An expulsion is for a definite period and will, in no event, be longer in duration than 2 calendar years.

A Campus Director and/or designee may request an expulsion hearing to consider a student's expulsion from the University of Chicago Charter School if:

- Expulsion is listed as an available consequence in the Student Conduct Policy and other appropriate and available behavioral and disciplinary interventions have been exhausted; and
- The Campus Director or designee determines that 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.

Expulsion Procedures

The Chief Executive Officer and/or designee shall be responsible to implement the expulsion procedures which will provide, at the minimum, the following:

- Before a student may be expelled, the student and his or her parent(s)/guardian(s) shall be provided a written request to appear at a hearing to determine whether the student should be expelled. The request shall be sent by registered or certified mail, return receipt requested and can also be sent by other means, including personal delivery. This written notification of the request to appear at the expulsion hearing shall include: the time, date and place for the hearing; a brief description of what will happen at the hearing; a detailed description of the specific act of prohibited conduct resulting in the decision to recommend expulsion; and, will include explicit mention of the opportunity to have representation, along with the opportunity to present evidence and witnesses.
- The hearing will be conducted by a fair and impartial hearing officer. During the hearing, the hearing officer shall hear evidence concerning whether the student is guilty of the prohibited conduct as charged. The School administration, Campus Director or designee requesting the expulsion hearing shall also provide information at the hearing regarding: (1) other interventions attempted and exhausted or of their determination that no other appropriate and available interventions were available for the student, and (2) evidence of the threat or disruption posed by the student. The School shall provide more than hearsay evidence to prove allegations. The student and his or her parent(s)/guardian(s) may be represented by counsel, offer evidence, present witnesses, cross-examine witnesses who testified, and otherwise present reasons why the student should not be expelled.
- The hearing officer will state the reasons for the expulsion and the date it would be effective and will provide a written summary regarding the evidence presented at the hearing to the Board of Directors.

- If the Board of Directors acts to expel the student, the written decision shall include the following:
 - detail regarding the specific reason why removing the student from his or her learning environment is in the best interest of the school; and
 - a rationale for the specific duration of the recommended expulsion; and
 - documentation on how school officials determined that all behavioral and disciplinary interventions have been exhausted by specifying which interventions were attempted or whether school officials determined that no other appropriate and available interventions existed for the student; and
 - documentation on how the student's continuing presence in school would (1) pose a threat to the safety of other students, staff, or members of the school community, or (2) substantially disrupt, impede, or interfere with the operation of the school.

UChicago Charter expulsion decisions may be appealed by filing for *certiorari* in the Chancery Division of the Circuit Court of Cook County.

If a student is expelled, contact by the student or his Parent(s)/Guardian(s) should be made to the Chicago Public School Department of Student Adjudication at (773) 553-2249 for assistance.

In those cases where, following the expulsion, the student returns the school after serving the time required for the expulsion, the Campus Director or designee shall facilitate the implementation of a plan, as appropriate, to facilitate the re- engagement of the student to his or her school program and activities. Parents of the student may be invited, but are not required, to attend the re-engagement meeting upon the student's return.

Section VII.

Anti-Bullying Policy

Bullying is prohibited by State law and will not be tolerated at the University of Chicago Charter Schools. Bullying on the basis of actual or perceived race, color, national origin, military status, unfavorable discharge status from the military service, sex, sexual orientation, gender identity, gender-related identity or expression, ancestry, age, religion, physical or mental disability, order of protection status, status of being homeless, or actual or potential marital or parental status, including pregnancy, association with a person or group with one or more of the aforementioned actual or perceived characteristics, or any other distinguishing characteristic is prohibited in each of the following situations:

1. During any school-sponsored education program or activity.
2. While in school, on school property, on school buses or other school vehicles, at designated school bus stops waiting for the school bus, or at school-sponsored or school-sanctioned events or activities.
3. Through the transmission of information from a school computer, a school computer network, or other similar electronic school equipment.
4. Through the transmission of information from a computer that is accessed at a non-school-related location, activity, function, or program or from the use of technology or an electronic device that is not owned, leased, or used by the School District or school if the bullying causes a substantial disruption to the educational process or orderly operation of a school. This paragraph (item #4) applies only when a school administrator or teacher receives a report that bullying through this means has occurred; it does not require staff members to monitor any non-school-related activity, function, or program.

Definitions

“Bullying” includes “cyberbullying” and means any severe or pervasive physical or verbal act or conduct, including communications made in writing or electronically, directed toward a student or students that has or can be reasonably predicted to have the effect of one or more of the following:

1. Placing the student or students in reasonable fear of harm to the student’s or students’ person or property;
2. Causing a substantially detrimental effect on the student’s or students’ physical or mental health;
3. Substantially interfering with the student’s or students’ academic performance; or
4. Substantially interfering with the student’s or students’ ability to participate in or benefit from the services, activities, or privileges provided by a school.

Bullying may take varying 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.

“Cyberbullying” means bullying through the use of technology or any electronic communication, including without limitation any transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic system, photo-electronic system, or photo-optical system including without limitation electronic mail, Internet communications, instant messages, or facsimile communications.

Cyberbullying includes the creation of a webpage or weblog in which the creator assumes the identity of another person or the knowing impersonation of another person as the author of posted content or messages if the creation or impersonation creates any of the effects enumerated in the definition of bullying. Cyberbullying also includes the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons if the distribution or posting creates any of the effects enumerated in the definition of bullying. This definition includes cyberbullying by means of technology that is not owned, leased, or used by the School when a director or teacher received a report that bullying through this means has occurred.

“Restorative measures” means a continuum of school-based alternatives to exclusionary discipline, such as suspensions and expulsions, that: (i) are adapted to the particular needs of the School, (ii) contribute to maintaining school safety, (iii) protect the integrity of a positive and productive learning climate, (iv) teach students the personal and interpersonal skills they will need to be successful in school and society, (v) serve to build and restore relationships among students, families, and the School, and (vi) reduce the likelihood of future disruption by balancing accountability with an understanding of students’ needs in order to keep students in school.

Responsibilities of School Staff

School administrators, teachers and staff who are become aware of school 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 is responsible to:

- intervene immediately in a manner that is appropriate to the context and ensures the safety of all people involved;
- report the incident of bullying or retaliation to the Campus Director as soon as practicable;
- cooperate fully in any investigation of the incident and in implementing any safety plan established by the Campus Director.

Reporting of Bullying by Students, Parents and Guardians, and Others

Students are encouraged to immediately report bullying. **A report may be made orally or in writing to Tanika Island Childress, Chief Executive Office who can be reached by telephone at (773) 834-0961 and by email at tanikai@uchicago.edu.** Oral or written reports can also be made to the Campus Director or any staff member with whom the student is comfortable speaking. Anyone, including staff members and parents/guardians, who has information about actual or threatened bullying is encouraged to report it to a Campus Director or any staff member. Anonymous reports will also be accepted.

No Reprisal or Retaliation

Reprisal or retaliation against any person who reports an act of bullying is prohibited. A student's act of reprisal or retaliation will be treated as bullying for purposes of determining any consequences or other appropriate remedial actions.

Responding to and Investigating Reports of Bullying

Consistent with federal and State laws and rules governing student privacy rights, the CEO, applicable Campus Director, or designee shall promptly inform the parent(s)/guardian(s) of every student involved in an alleged incident of bullying and discuss, as appropriate, the availability of social work services, counseling, school psychological services, other interventions, and restorative measures.

Reports of bullying will be promptly investigated and addressed by the CEO, applicable Campus Director or designee. The Campus Director(s) or designee(s) of the involved student(s) shall be notified of the report of the incident of bullying as soon as possible after the report is received. All reasonable efforts will be made to complete the investigation within ten (10) school days after the date the report of the incident was received and taking into consideration additional relevant information received during the course of the investigation about the reported incident of bullying. The investigation shall include:

- Involving appropriate school support personnel and other staff persons with knowledge, experience, and training on bullying prevention, as deemed appropriate in the investigation process.
- 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.
- Conducting an individual interview in a private setting with the alleged perpetrator and target. The alleged perpetrator and target will not be interviewed together or in public. Individual interviews of students and adult bystanders shall also be conducted in private.
- Determining how often the conduct occurred, any past incident or continuing pattern of behavior, and whether the target's education was affected.

- Assessing the individual and school-wide effects of the incident relating to safety, and assigning school staff to create and implement a safety plan that will restore a sense of safety for the target and other students who have been impacted.
- When appropriate, preparing a report of misconduct identifying recommendations for individual consequences pursuant to the Student Conduct Policy.
- Comprehensively documenting the details of the investigation.

A written investigation report shall be prepared, and information shared with involved students and their parent(s)/guardian(s) as appropriate and only if consistent with federal and State laws and rules applicable to student privacy rights.

Consistent with federal and State laws and rules applicable to student privacy rights, parents and guardians of the students who are parties to the investigation shall be provided with information about the investigation and an opportunity to meet with the Campus Director or designee to discuss the investigation, the findings of the investigation, and the actions taken to address the reported incident of bullying.

Knowingly Making False Reports of Bullying

A student will not be punished for reporting bullying or supplying information, even if the School's investigation concludes that no bullying occurred. However, knowingly making a false accusation or providing knowingly false information will be treated as bullying for purposes of determining any consequences or other appropriate remedial actions.

Implementing Interventions

The School should respond to bullying in a manner tailored to the individual incident, considering the nature of the conduct, the developmental ages of the students involved, and any relevant information related to the involved students' conduct or performance.

Interventions should be taken to address bullying including school social work services, restorative measures, social-emotional skill building, counseling, school psychological services, and community-based services.

When an investigation determines that bullying has occurred, the Campus Director or designee has discretion to impose discipline for the misconduct of the perpetrator in accordance with the Student Conduct Policy.

Training and Professional Development

Training and professional development will be conducted to support the School's administrators, teachers and staff in addressing bullying at the School.

Posting of the Anti-Bullying Policy

This Anti-Bullying Policy shall be posted on the School's website and shall be included in the student handbook. It shall also be posted and maintained where other policies, rules, and standards of conduct are posted at the School and its campuses. This policy shall be distributed annually to parents/guardians, students, school personnel, including new employees when hired.

Section VIII.
Procedural Safeguards
for Discipline of Students with Disabilities

The following Procedural Safeguards for the Discipline of Students with Disabilities under a 504 Plan are derived from the Chicago Public Schools Procedural Safeguards, which are included in the Chicago Public Schools' Student Code of Conduct.

UCCS school officials may suspend students with disabilities 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 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 these Safeguards for a single incident. Specifically, the UCCS Director or his/her designee may suspend students with disabilities for fewer days than set forth for a single incident, based on the student's Individual Education Plan, ("IEP"), 504 Plan, or Behavior Intervention Plan, ("BIP"). Federal regulations offer some flexibility in suspending students with disabilities in excess of 10 school days in the school year in certain circumstances.

In order to determine whether the circumstances permit a suspension in excess of 10 days per school year, consultation by the school with the CPS Office of Diverse Learners Supports and Services (773 553-1905) is absolutely necessary. Without such consultation and approval from the Office of Diverse Learners Supports and Services, the 10 school day limit on out of school suspensions will continue to apply.

When school officials anticipate a referral for expulsion, including referrals requesting emergency assignment pursuant to the UChicago Charter Student Code of Conduct, or for Suspension beyond 10 days cumulative for the school year, 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 UCCS Student 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.

Note: All procedural safeguards contained in the UChicago Charter School Code of Conduct are equally applicable to those students with 504 plans, excepting certain circumstances related to the placement in alternative settings after an expulsion.

Section IX.

Policy on Discrimination, Harassment and Sexual Misconduct (Title IX)

A. General Statement of Policy

The University of Chicago Charter School, (“UCCS”), is a community of leaders who are dedicated to cultivating students to become culturally aware critical thinkers and leaders who succeed in four-year colleges and beyond. UCCS is committed to compliance with Title IX.

The UChicago Charter provides equal educational opportunities to all students and maintains a learning environment that is free from discrimination and harassment. No person shall harass, intimidate, or bully another student on the basis of the following protected categories: actual or perceived sexual orientation, gender or sex (includes gender identity, gender expression, pregnancy, childbirth, breastfeeding, and pregnancy related medical conditions), race or ethnicity, ethnic group identification, ancestry, nationality, national origin, religion, color, mental or physical disability, age (40 and above), immigration status, marital status, genetic information, political belief or affiliation (not union related), military status, unfavorable discharge from military service, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics, or any other basis protected by federal, state or local law, ordinance, or regulation, collectively, hereafter, “the Protected Categories.”

The UChicago Charter School is committed to taking necessary action to prevent, correct, and, where indicated, discipline unlawful discrimination.

The University of Chicago Charter School has adopted this policy with expectations students, staff, faculty, volunteers and visitors will abide by it. This policy applies to misconduct that occurs:

- (1) on University of Chicago Charter School property; or
- (2) off of University of Chicago Charter School property, if:
 - (a) the conduct occurred in connection with;
 - a Charter School-sponsored or recognized program or activity; or
 - (b) the conduct has or reasonably may have the effect of creating a hostile educational or work environment for a member of the Charter School community.

The UChicago Charter School will not tolerate harassing, intimidating conduct, or bullying whether verbal, physical, electronic, or visual, that creates an intimidating, hostile, or offensive educational environment, interfering with students’ academic performance.

Consistent with Title IX, sex discrimination is prohibited in all UCCS programs and activities. This includes: disparities in athletic opportunities; gender discrimination in admissions and educational programming; sexual harassment and sexual misconduct in schools and discrimination and bullying based on sex, gender identity or sexual orientation, including LGBTQ, or any other Protected Categories set forth in this policy. Sexual misconduct encompasses a range of conduct, from sexual assault, (a form of sexual harassment), to dating violence, domestic

violence, and stalking. Title IX and UCCS policy also prohibit retaliation against anyone who exercises any rights or responsibilities under this policy, including anyone who raises concern about harassment or discrimination as well as respondents and witnesses who participate in the resolution process.

Title IX applies, and UCCS prohibits, sex discrimination and unlawful harassment in the classroom, elsewhere on school premises, on a school bus or school-related vehicle and at school-sponsored activities or events, whether or not they are held on school premises, when the conduct is so severe or pervasive that it has the purpose or effect of creating an intimidating, hostile or offensive work environment, or unreasonably interfering with an individual's work or educational performance.

The UChicago Charter School will act to investigate all complaints, either formal or informal, verbal or written, filed based on religion, race, color, national origin, disability, gender, sexual orientation, age or other protected class as defined by this policy.

A. CONDUCT PROHIBITED

1. DISCRIMINATION:

A. Definition - As used in this policy, discrimination means intentional discriminatory or harassing treatment on the basis of any classifications protected by the Constitution of the United States, the Constitution of the State of Illinois and applicable federal, state or local laws or ordinances, including but not limited to discrimination on the basis of the Protected Categories set forth in this policy. Pregnancy discrimination is a form of sex discrimination prohibited by law, including the Pregnancy Discrimination Act

B. Conduct Prohibited – Discrimination is prohibited when administering education-related programs. These programs will be administered without regard to the student's or applicant's race, color, national origin, gender, gender identity/expression, sexual orientation, age, religion or disability or any other Protected Categories set forth in this policy. Acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on gender, but not involving conduct of a sexual nature, may constitute a form of sex discrimination. Such acts, if based on other legally protected categories such as race, religion, and national origin, may constitute a form of harassment. The discrimination described above in paragraph 1 may in some circumstances be prohibited in the maintenance of facially neutral policies, practices, or requirements that have a disproportionate and negative effect on employment or academic opportunities of the protected classifications identified above.

2. HARASSMENT:

A. Definition- As used in this policy, harassment means verbal conduct, physical conduct, or conduct using technology that is based on a protected class and that is so severe or

pervasive that it has the purpose or effect of unreasonably interfering with an individual's work performance or educational program participation, or that creates an intimidating, hostile, or offensive work or educational environment.

- B. Conduct Prohibited-** Harassment may include, but is not limited to, epithets or slurs, threats, derogatory comments, unwelcome jokes, gestures or pranks; placing written or graphic material of derogatory nature on walls, bulletin boards or elsewhere on UCCS' premises, or circulating such material in the workplace, unwanted blocking of movement, or otherwise engaging in any verbal, physical or electronic conduct that is so severe or pervasive that it has the purpose or effect of creating an intimidating, hostile or offensive work environment, or unreasonably interfering with an individual's work or educational performance. Conduct rules apply to any student, teacher, administrator or other school personnel, or by any other person who is participating in, observing or otherwise engaged in activities, including sporting events and other extra-curricular activities whether on or off school grounds before, during and after school hours, under the auspices of the UChicago Charter School.

3. **SEXUAL HARASSMENT:**

- A. Definition -** As used in this policy, sexual harassment means an unwanted and unwelcome sexual advance, request for sexual favors or other verbal or physical conduct of a sexual nature. Sexual harassment typically includes, but is not limited to, sexual flirtations, advances or propositions; verbal abuse of a sexual nature; graphic or degrading verbal comments about an individual or his or her gender, appearance, or sexual orientation; sex-oriented verbal kidding, teasing, or joking; displays of sexually suggestive objects or pictures; demands for sexual favors; subtle pressure for sexual activity; and physical contact such as patting, pinching, touching, or brushing against another's body. With sexual harassment, behavior often persists and is repetitive despite objection by the person toward whom the conduct is directed.
- B. Conduct Prohibited -** Covered individuals shall not sexually harass another while employed, working for, attending or participating in Charter School endeavors. There is a broad range of conduct which can, in certain circumstances, be considered a violation of this policy. This may include, but is not limited to sexually suggestive or offensive remarks; sexually suggestive pictures; sexually suggestive gesturing; verbal harassment or abuse of a sexual nature; harassing, abusive or sexually suggestive or offensive messages sent by e-mail or other electronic medium; subtle or direct propositions for sexual favors, and touching, patting, or pinching. Sexual harassment may be directed against a particular person or persons, or a group, whether of the opposite sex or the same sex. The Complainant need not be the person directly harassed.

CONDUCT WITH STUDENTS:

Romantic or sexual conduct between school employees, contractors, consultants, vendors or volunteers and UChicago Charter School students is strictly prohibited. For purposes of this

policy, such conduct includes but is not limited to, physical contact of a sexual nature or use of sexually suggestive, offensive or inappropriate remarks. Any person with knowledge of an improper relationship between a student and a school employee, contractor, consultant, vendor or volunteer must immediately report the conduct to the Campus Director. In such instances, employees shall also complete the mandatory reporting requirements identified for suspected child abuse/neglect by school personnel set out in the Employee Handbook's Policy on Reporting Child Abuse and Neglect.

4. RETALIATION:

Retaliation against any person for having made a complaint or report of discrimination or sexual harassment, whether made internally, or externally with a federal, state, or local agency; or participating or aiding in an investigation of discrimination or sexual harassment, whether internal, or external with a federal, state, or local agency, is strictly prohibited. Any person who believes that he or she has been subjected to retaliation should report the retaliatory conduct to the Campus Director or Title IX Coordinator. Acts of retaliation shall subject the offending employee to discipline up to and including dismissal.

5. Reporting.

Students may make an oral or written complaint of discrimination, sexual harassment, or retaliation if

they :

- A.** Believe they are victims of bullying, hazing, unlawful discrimination or harassment, or sexual harassment
- B.** Have knowledge of discriminatory or sexual harassment conduct, or retaliation; or
- C.** Believe they have been retaliated against for making a good faith complaint or report of sexual harassment, discrimination, or for participating or aiding in an investigation of such complaints

Students are expected to immediately report the alleged acts to Title IX Coordinator or Campus Director. Students may choose to report to a person of the student's same sex, and the student may be accompanied by a parent/guardian, school counselor, or advisor in making such a report.

The school representative taking the report will ensure that the reported incident(s) are documented and investigated in a prompt, thorough, and impartial manner. Upon receipt of a report or complaint alleging harassment consistent with policy, Campus Director shall immediately notify the Title IX Coordinator, without screening or investigating the report. Using reasoned judgment, the designated investigator, usually the Title IX Coordinator, will conduct an investigation and may choose to talk to the student and/or adult about their knowledge of the situation or complaint.

If you experience, witness or learn of sexual or other harassment or discrimination that you believe may violate UCCS' policies, you are obligated to immediately report it to Campus Director and/or the Title IX Coordinator. This applies to harassment or discrimination by employees, students or third parties. If, for any reason, you are uncomfortable discussing the matter with your Campus Director and/or if the concern involves your Campus Director, you should contact the Title IX Coordinator.

Jeanne L. Nowaczewski, Title IX Coordinator

1313 E. 60th Street, Room 105, Chicago, IL 60637

(773)702-5693

jnowaczewski@uchicago.edu

All staff, students, parents and visitors of UCCS are encouraged to report or make inquiries to the Title IX Coordinator. For further information on notice of non-discrimination, visit: <http://wdcrobcop01.ed.gov/CFAPPS/OCR/contactus.cfm> for the address and phone number of the office that serves our area, or call 1-800-421-3481.

Investigation Procedure

All alleged violations of the UCCS' unlawful harassment and non-discrimination policy will be promptly and thoroughly investigated. The investigation will be completed within 60 days of the filing of a complaint or the date on which UCCS becomes aware of a suspected violation of this policy unless UCCS determines in its discretion that more time is required to complete the investigation, in which case, UCCS will notify all parties in writing of the extension of time.

In connection with the investigation, both the complainant and the respondent will have the opportunity to present information regarding the matter under investigation. Both parties are expected to cooperate with the investigation. UCCS will endeavor to afford the same or substantially similar opportunities to both parties to present or participate in the investigation.

A. PROCEDURE

Any investigation generally takes the following procedure:

1. Title IX Coordinator will interview any/all witnessing community members, the individual against whom the complaint is filed, and others who have knowledge of the alleged incident.
2. During the investigation, the students directly involved in the incident will be required to attend a meeting, separately, with the Title IX Coordinator to discuss the allegations and allow each student the opportunity to share their knowledge regarding the incident. Depending on the circumstances, the Title IX Coordinator may be joined by another school adult at this meeting. Depending on the severity of the situation, in his or her discretion, the Title IX Coordinator also may request that the students'

- parent(s)/guardian(s) attend this meeting.
3. Upon completion of the investigation, the Investigator, usually the Title IX Coordinator, shall report all matters discovered by the investigation to CEO, along with recommendations for findings, sanctions, protective measures, and procedural changes at UCCS if any.
 4. The CEO will review the facts and determine whether to accept, amend, or reject the recommendations of the Investigator.
 5. Once the CEO has made its decision regarding the recommendations of the Investigator, the Investigator shall timely notify both the complainant and respondent in writing of the outcome of the investigation, including where there has been a determination that this policy has been violated. If parties are minors, the parents will also be notified.
 6. If there is a finding that UCCS policy has been violated, UCCS will take such action as it deems justified by the facts and circumstances.

B. REVIEW

The complainant or the respondent may request, no later than 15 days after the outcome of the proceedings is communicated to the parties, a review of the decision by the Director of UEI, or the Director's designee.

The person seeking the review must put the request in writing and at the same time supply all supporting materials. The only legitimate grounds for review are: (i) that a procedural error occurred which may change the outcome of the decision; (ii) that new and material information unavailable at the time of the investigation would more likely than not substantially change the outcome of the proceeding; (iii) the sanction is disproportionate to the violation. Review requests submitted on any other grounds will be summarily denied.

The Director of UEI (or the Director's designee), conducts an independent and unbiased review of the report, determination, and outcomes. The review will be completed within 30 days of receipt of the request for a review unless the Director (or designee) determines that more time is necessary, in which case UCCS will notify all parties in writing of the extension of time.

The review is not a new investigation and does not include gathering additional information. The Director (or designee), acting on the basis of the entire record, may sustain or strike the determination, outcome and/or may sustain or modify the sanctions

If the Director (or designee), concludes that new and material information not available to the Investigator more likely than not would have resulted in a different decision, they may require the Investigator to re-open the investigation and consider the new and relevant information in making findings and rendering a decision.

Any re-opened investigation will conclude within 30 days of re-opening by the Investigator, unless it is determined that more time is reasonably required, in which case, UCCS will notify all parties in writing of the extension of time.

C. RETALIATION & SUBMISSIONS OF COMPLAINTS NOT IN GOOD FAITH

It is a violation of UCCS policy to retaliate against any complainant for making a good-faith complaint of harassment or discrimination. Retaliation against anyone for participating in good faith in an investigation of a complaint, including as a witness, is also a violation of UCCS policy.

In addition, submitting a complaint that is not in good faith, or providing false or misleading information in any investigation of complaints is also prohibited.

ACKNOWLEDGEMENT OF RECEIPT OF THE STUDENT CONDUCT POLICY

2020

I have received and read the University of Chicago Charter School Corporation Student Conduct Policy in its entirety.

Student Name

Date

Student Signature

Date

I am the parent or guardian of the above named student. I have received and read the Student Conduct Policy.

Parent/Guardian Signature

Date