

*KEMET LEADERSHIP ACADEMY STUDENT
DISCIPLINE POLICY*

KEMET



2018

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KEMET Student Discipline Policy (SDP)

Discipline in Charter Schools

Pursuant to the Charter School Law, Illinois School Law, 105 ILCS 5/27A, all charter schools are exempt from local school board policies, including the Student Code of Conduct. As such, KEMET is free to adopt the CPS Policy of Conduct (Code), align its policies to the CPS Code of Conduct and/or establish our own discipline policies. KEMET also has the option to modify the Code so long as any such modification is consistent with the educational philosophy, vision and mission of the school and complies with applicable provisions of the Illinois School Code and CPS Board Rules.

KEMET seeks to establish and maintain an environment that is safe for all students and campus personnel and provide students with a consistent set of expectations for behavior. KEMET supports our campuses in maintaining safe, nurturing, participatory and productive learning environments. KEMET expects all students to respect the rights of fellow students, personnel and others, and to behave in a manner that does not violate campus rules, procedures, KEMET policy or the law. Students shall be encouraged to seek assistance from campus personnel to prevent or resolve conflicts and to report incidents or activities that may threaten or disrupt the educational environment. The Discipline Policy requires all students enrolled at KEMET campuses to accept responsibility and the appropriate consequences for their actions and behavior.

The disciplinary process set forth in this Policy is intended to be instructional and corrective, not punitive. All students are entitled to receive due process in disciplinary reassignment, In-School or out of school suspension and expulsion. Moreover, students are entitled to appeal the issuance of certain interventions or consequences.

KEMET adheres to the Chicago Board of Education Rule 6-21 that forbids the use of corporal punishment of any kind upon persons attending a KEMET Campus.

KEMET strongly encourages campuses to establish measures designed to foster incident avoidance. Where possible, campuses should explore the use of prevention strategies aimed at minimizing the number of incidents requiring student discipline. Discipline is applied respectfully, fairly, consistently and protect students' rights to instructional time whenever possible.

PURPOSE AND GOALS

KEMET seeks to: (1) create a consistent set of expectations for student behavior for all campuses and all students; (2) outline the interventions and consequences for students who engage in inappropriate behavior; and (3) reinforce positive behavior and provide students with opportunities to develop appropriate behavioral skills.

SCOPE OF THE STUDENT DISCIPLINE POLICY

The Student Discipline Policy is not intended to address the entire spectrum of student misbehavior that may occur at the campus. Instead, the Policy outlines a range of appropriate responses for certain inappropriate behaviors. Campus administrators retain the discretion to address student misconduct that is not specifically included in the Policy. **However, poor academic achievement is not an act of misconduct. Therefore, the Policy may not be used to discipline students for poor academic progress.**

The Policy applies to:

- ❖ Actions of students during campus hours, before and after school.
- ❖ While on campus property.
- ❖ While traveling in vehicles funded by the campus and/or to or from a campus affiliated event.

- ❖ At all campus-sponsored events.
- ❖ While using the campus network or any computer or information technology devices
- ❖ When the actions affect the mission or operation of the campus or KEMET.

Students are subject to Groups 5 or 6 disciplinary actions for inappropriate behaviors that occur either off campus or during non-campus hours when the misconduct disrupts the orderly educational process at the campus. This includes seriously inappropriate behavior or social networking websites that disrupts or may disrupt the educational process or orderly operation of the campus.

Students who are suspended or expelled from a campus may not participate in extracurricular activities or campus-sponsored events during the period of the suspension or expulsion. However, students on suspension during the administration of state assessments can enter the school for the purpose of taking the test and may be allowed to participate in related test preparation activities. For violations of the Student Discipline Policy that involve improper use of information technology devices, the student may be subject to discipline pursuant to the Policy, in addition to having his/her network privileges suspended.

Student Uniforms and Dress Code Policies

Campuses are allowed to institute a uniform policy that requires students to wear a specific uniform. Campuses may also institute dress code policies that do not require students to wear a specific uniform, but that prohibit students from wearing certain items or particular styles of attire and/or accessories. A dress Policy violation may be considered an inappropriate behavior under the Policy. Dress Codes are often designed to address gang-related activities or to prevent serious disruption to the orderly educational process of the campus. Students who wear clothing or accessories that display affiliation with gangs or other criminally motivated organizations or students who dress in a manner that causes serious disruption to the orderly educational process may be subject to discipline in accordance with the terms of the Policy.

OVERVIEW OF THE STUDENT DISCIPLINE PROCESS

Step 1: Campus Officials Investigate

- ❖ The Principal or his/her designee should talk to all students, teachers, campus personnel and other witnesses to the incident.
- ❖ The investigation may necessitate a search of the student, his locker, desk or personal belongings. A search should be conducted only if necessary and any search that is conducted shall be performed in compliance with KEMET Search Policy, Procedures for Search, Seizure and the Use of Metal Detectors.

Step 2: Campus Affords Student Due Process

- ❖ The campus official should assess the information gathered through the investigation, determine whether the student's behavior falls within the scope of the Policy, identify the student's misconduct among the list of inappropriate behaviors and determine whether the student's behavior should be addressed by the Policy.
- ❖ If the Policy applies, the campus official should inform the student of the allegation(s) being made and the range of sanctions the student faces. The student must have an opportunity to respond to the charges by letting the student tell his/her side of the story. The campus official should make a reasonable effort to contact the parent to alert

him/her to what is happening before any sanction is enacted. No disciplinary action may be taken against a student before the student has been afforded the opportunity to respond to the allegations.

- ❖ Avoid consequences that will remove the student from class and school, if possible. **Use out-of-school suspensions as a last resort and only when in-school interventions and consequences are insufficient to address the student's inappropriate behavior.** When suspended out of school, students lose instructional time and opportunities for developing social and emotional skills that could lessen the likelihood of future inappropriate behavior.
- ❖ If necessary, and only after a reasonable effort has been made to contact the student's parent/guardian, the Chicago Police Department should be notified. However, at no time should the safety of students and/or staff be compromised to adhere to this provision.
- ❖ Follow the special procedures contained in the Additional Resources section for students with disabilities and student with Section 504 Plans.
- ❖ Campus administrators will inform the student and parent(s)/guardian(s) that they have the right to appeal the disciplinary decision.

Step 3: Fill Out the Necessary Paperwork

- ❖ The administrator must complete an official Misconduct Report for ALL inappropriate behaviors under the Policy (Groups 1-6). See appendix, ex. A for sample Misconduct Report.
- ❖ A copy of the Misconduct Report must be sent to KEMET within 48 hours.
- ❖ A copy of the Misconduct Report must be sent home to the parent/guardian via certified mail or hand delivered to the parent or guardian.

Step 4: Discipline According to the Policy

- ❖ Any disciplinary action taken against a student must conform to the interventions or consequences outlined in the Policy.
- ❖ Suspensions may not exceed 10 days for one incident for any reason. **Suspension days are excused absences.**
- ❖ Parents must be notified about the suspension on the same day the suspension is being applied. A letter must be sent home via certified mail within 24 hours of the suspension.
- ❖ Students may not attend campus-sponsored events and are not allowed on campus grounds during the time of the suspension. They must be allowed to return for statewide assessment testing periods unless the student is available to take the tests during a scheduled make-up testing period.
- ❖ Students must be assigned homework during in-School or off-campus suspension and must be given the opportunity to make up in-class tests or quizzes given during the period of suspension.

Step 5: Expulsion or Alternative Placement/Reassignment Hearings (For Groups 5 and 6 *ONLY*)

- ❖ If a student's misconduct falls within Group 5 and is the student's first occurrence of Group 5 misconduct, the campus retains the discretion to refer a student for expulsion or disciplinary reassignment to another campus. The decision to expel or reassign must be approved by KEMET Assistant Director or designee.
- ❖ If a student's misconduct falls within the Group 6 Category or if a student's misconduct is the second occurrence of misconduct that falls within the Group 5 Category within a ten month period, a hearing must be held prior to a student's expulsion or issuance of any other sanction that results in a student's disciplinary reassignment.
- ❖ If a Student is expelled from KEMET, the CPS Department of Student Adjudication must be notified to determine appropriate placement for the student per the Chicago Board of Education's Policy on Enrollment and Transfer of Students in the Chicago Public Schools. (Policy Manual Section 702.1at section 1.F.2.).
- ❖ For additional information about Expulsion or Disciplinary Reassignment Hearings, see Appendix, Ex. D, Expulsion Hearing, Emergency and Alternative Placement guidelines.

Step 6: Appeals

- ❖ If a student, parent, or guardian feels that the intervention or consequence for misconduct is unwarranted or excessive, he or she has the right to ask the principal to review the consequence and to reconsider the decision.
- ❖ In the event that a parent, guardian or student (emancipated adult) wishes to appeal a principal's decision to suspend or refer a student for expulsion, he or she must appeal in writing to the KEMET Assistant Director or designee.
- ❖ The campus will submit summary statements to KEMET within 5 days of the due process hearing. KEMET will determine if there has been a violation of the KEMET student discipline policy and if due process has been followed.
- ❖ Any appeal of the KEMET Assistant Director determination of a student's expulsion must be made in writing and sent, along with any additional evidence not available at the time of expulsion, to the KEMET Board of Directors. The KEMET Board of Directors or designee's decision regarding the appeal shall be final.
- ❖ The term of a student's suspension or expulsion is not halted by an appeal to the KEMET Assistant Director or the KEMET Board of Directors.

POLICE NOTIFICATION

When a student's misconduct amounts to a criminal act or poses danger to the health, safety or welfare of other students and staff at a campus, it may be necessary and appropriate to contact the Chicago Police Department (CPD) and to seek their assistance. The inappropriate behaviors that require a campus official to notify the CPD are identified throughout the Policy by the placement of an asterisk (*) preceding the specific inappropriate behavior. If a student engages in such behavior, a campus official must contact the CPD. Whenever the campus notifies the police concerning student misconduct, the campus must also immediately attempt to contact the parent/guardian of that student and KEMET.

There are other inappropriate behaviors by students, not listed in the Policy, that require the campus administrator to assess the nature of the misconduct and the extent to which the health,

safety or welfare of other persons are placed in danger by a student's actions. In those instances, the administrator must make a judgment call as to whether contacting CPD is appropriate. Campus officials should consider whether the misconduct is particularly egregious and/or the student persists in misconduct after being told to cease such behavior and continues to endanger the health, safety or welfare of others.

The discretionary exercise of a campus official's authority to notify the CPD should involve the consideration of a variety of factors. Those factors include, but are not limited to:

- ❖ The age of the student engaging in misconduct;
- ❖ The extent to which the student acted intentionally or recklessly;
- ❖ Whether the student has received prior warnings; and
- ❖ Whether the student's misconduct is specifically intended to cause others physical harm or endanger the health, safety or welfare of others (notify police if student has an IEP).

If a campus official has any questions regarding the decision of whether to notify the police, he or she should contact KEMET prior to notifying the police. However, at no time should the safety of students and/or staff be compromised to adhere to this provision.

RESTORE

- ❖ If the student received an out-of-school suspension for three (3) or more days, KEMET recommends that the principal or designee develop a plan to support the student's transition back into the school community. KEMET recommends that the plan includes strategies for preventing future behavior incidents, restoring relationships, and addressing the student's ongoing social, emotional and academic needs, with input from the student and parents/guardians.

IMPLEMENTATION OF THE KEMET STUDENT DISCIPLINE POLICY

It shall be the responsibility of each campus to:

- ❖ Confer with campus personnel, parents, students, and appropriate community agencies to formulate practices, procedures and programs that will foster socially acceptable student conduct;
- ❖ Prepare and submit copies of Incident Reports for Group 4, 5 and 6 violations of the School Discipline Policy to KEMET.
- ❖ Record and send the Misconduct Report to the student's parent/guardian for every occurrence of inappropriate behavior.
- ❖ Notify the Chicago Police Department as necessary to protect the safety, health and welfare of students and staff.
- ❖ Assist KEMET staff with expulsion proceedings by identifying witnesses and reviewing and transmitting all documentation regarding an incident to KEMET to ensure that it is complete, accurate and properly written.
- ❖ Make a reasonable effort to meet with the student's parent/guardian or to ensure that another campus official meets with the student's parent/guardian following every act of misconduct.

- ❖ Ensure that students who are suspended receive homework assignments and are given the opportunity to participate in any statewide assessments given during the period of a student's suspension.
- ❖ Encourage positive behavior by students.

It shall be the responsibility of KEMET staff to accomplish the following:

- ❖ Review campus intervention procedures and consequences and hear appeals regarding such actions.
- ❖ Monitor the implementation of prevention strategies and the safety/security program at each campus.
- ❖ Systematically monitor suspensions, expulsions, and other disciplinary actions.

GROUP 1 - INAPPROPRIATE BEHAVIORS

The following acts of misconduct include *inappropriate* student behaviors in the classroom or on the campus grounds:

- 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, or occupying an unauthorized place in the school or on school grounds.
- 1-5** Failing to attend class without a valid excuse
- 1-6** Persistent tardiness to campus or class
- 1-7** Use of the campus computers for the purpose of accessing non-educational material.
- 1-8** Profane Language
- 1-9** Unauthorized use and possession of or cellular telephones or other information technology devices without prior permission from administration. *Upon written request from a parent or legal guardian, a principal may authorize a student to possess a cellular telephone for medical and other family emergencies, or for any other good cause. A denial of authorization for possession or use of cellular telephones may be reviewed by the KEMET Assistant Director or designee.*

INTERVENTIONS AND CONSEQUENCES

FIRST VIOLATION

- ❖ Teacher-Student Conference
- ❖ Teacher-Student-Parent Conference
- ❖ Notice send to Care Team

REPEATED VIOLATIONS

- ❖ Documented Teacher-Student-Resource Person- Parent-Administrator Conference focused on violations, cause of behavior, and strategy to prevent recurrence
- ❖ Care Team action required
- ❖ Detention: -Before School -After School -Saturday
- ❖ Referral to Campus Peer Jury in lieu of suspension (if available and approved by principal).
- ❖ Suspension of computer lab privileges for a specified number of days, in addition to any other disciplinary action. *Non-educational materials include, but are not limited to,*

games, pornographic material, or other inappropriate material. Disciplinary actions regarding network privileges apply only to network offenses.

- ❖ In-School Suspension (one to three days)

GROUP 2 - INAPPROPRIATE BEHAVIORS

The following acts of misconduct include student behaviors that *disrupt* the orderly educational process at the campus or on the campus grounds:

- 2-1** Posting or distributing unauthorized or other written materials on campus grounds
- 2-2** Leaving the campus without permission
- 2-3** Interfering with campus 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 campus rules and regulations not otherwise listed in the Policy
- 2-6** Exhibiting or publishing any profane, obscene, indecent, immoral, libelous, or offensive written materials, language or gestures
- 2-7** Possession (physical control over, such as contained in clothing, lockers, or bags) and/or use of tobacco products, matches, cigarette lighters, or rolling papers
- 2-8** Disregard for the instructions or direction of school personnel causing interruption to other students' participation in school activities.
- 2-9** Failing to provide proper identification
- 2-10** Unauthorized use of campus parking lots or other areas
- 2-11** Use of computers/ computer lab for the purposes of distribution or downloading non-educational material

INTERVENTIONS AND CONSEQUENCES

FIRST VIOLATION

- ❖ Teacher-Student Conference
- ❖ Care Team action required
- ❖ Documented Teacher-Student-Parent Conference and/or Teacher-Student-Resource Person-Administrator Conference
- ❖ Suspension of computers/lab privileges for a specified number of days, in addition to any other disciplinary action.
- ❖ Detention: Before School -After School –Saturday
- ❖ In-School Suspension (one to five days)

REPEATED VIOLATIONS

- ❖ Detention: Before School -After School –Saturday
- ❖ Care Team action required
- ❖ Referral to Campus Peer Jury in lieu of suspension (if available and approved by the principal)
- ❖ In-School suspension (one to five days)
- ❖ Suspension of computers/lab privileges for up to one semester, in addition to any other disciplinary action
- ❖ Out of School Suspension (one to three days)

GROUP 3 - INAPPROPRIATE BEHAVIORS

The following acts of misconduct include student behaviors that *seriously disrupt* the orderly educational process of the campus:

- 3-1** Disruptive behavior on the campus bus

- 3-2** Gambling – participating in games of chance or skill for money or things of value (*campus may notify police at own discretion*)
- 3-3** Fighting-physical contact between two people with intent to harm, but no injuries result
- 3-4** Verbal abuse, Profane, obscene, indecent or seriously offensive language and gestures, propositions, behavior, or harassment based on race, color, national origin, sex, gender, sexual orientation, gender identity, age, religion, or disability
- 3-5** Second or more documented disobedience or misconduct listed in Groups 1 through 3 of this Policy
- 3-6** Any behavior not otherwise listed in Groups 1 through 3 of this Policy that seriously disrupts the educational process
- 3-7** Forgery (*campus may notify police at own discretion*)
Financial Instrument: Code of Conduct will be followed.
Official Documents needed for Enrollment:
 - Student will be denied enrollment.
 - If student is already enrolled – student will be released with prejudice.
- 3-8** Plagiarizing, cheating and/or copying the work of another student or other source
- 3-9** Overt Display of Gang Affiliation (see glossary for definition)
- 3-10** Bullying behaviors – conduct directed towards a student that can be reasonably predicted to cause fear of physical or mental harm, harm to property and/or interfere with student’s ability to participate in school or school activities (see glossary for definition and Anti-Bullying Policy before assigning an intervention or consequence)
- 3-11** Unauthorized activation or use of cellular telephones or other information technology device to harass, incite violence, or interrupt other students’ participation in school activities, including use of device to record others without permission or unauthorized distribution of recordings
- 3-13** Use of the campus computer network for seriously disruptive/unauthorized purpose not otherwise listed in this Policy

INTERVENTIONS AND CONSEQUENCES

FIRST VIOLATION

- ❖ Documented Teacher - Student - Resource Person - Administrator Conference
- ❖ Detention: -Before School -After School -Saturday
- ❖ In-School Suspension (one to five days)
- ❖ Suspension of computer lab privileges for improper use for up to one semester, in addition to any disciplinary action listed.
- ❖ Suspension (one to five days)

REPEATED VIOLATIONS

- ❖ Referral to Campus Peer Jury in lieu of suspension (if available and approved by the principal)
- ❖ Suspension of computer lab privileges for improper use for up to one year, in addition to any disciplinary action listed
- ❖ Suspension (one to ten days) and/ or disciplinary reassignment per KEMET approval.

Repeated violations of inappropriate behavior 3-9 or 3-10 of the Policy may result in a referral for a request for disciplinary reassignment and should be submitted as a 5-6 violation.

Students may be subject to disciplinary action for violations of inappropriate behavior that occur either on or outside of campus grounds.

GROUP 4 - INAPPROPRIATE BEHAVIORS

The following acts of misconduct include student behaviors that *very seriously disrupt* the orderly educational process of the campus (*campus may notify police at own discretion for any of the following violations*):

- 4-1** False activation of a fire alarm that does not cause a campus facility to be evacuated or does not cause emergency services to be notified
- 4-2** Extortion – obtaining money or information from another by coercion or intimidation
- 4-3** 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
- 4-4** Vandalism -willful or malicious destruction or defacing of the property of others or criminal damage to property resulting in damages not exceeding \$500
- 4-5** Battery – unwanted bodily contact with other person without legal justification or aiding or abetting in the commission of a battery which does not result in a physical injury
- 4-6** Fighting – physical contact between more than two people with intent to harm, or physical contact between more than two people and/or involves injury or injuries
- 4-7** Theft – unauthorized control over the physical property of another or possession (physical control over, such as contained in clothing, lockers or bags) of stolen property not exceeding \$150 in value
- 4-8** Possession, use, or distribution of fireworks
- 4-9** Any behavior not otherwise listed in Groups 1 through 4 of this Policy, the commission of which is very seriously disruptive to the educational process
- 4-10** Disorderly conduct
- 4-11** Trespassing on campus property – entering campus property when previously prohibited or remaining on school grounds after receiving a request to depart
- 4-12** Knowingly or intentionally using campus computer to spread viruses.
- 4-13** Possession of any dangerous object for purposes of this Policy
- 4-14** Use or possession of alcohol in school or at, before, or after a school related function, first offense.

INTERVENTIONS AND CONSEQUENCES

- ❖ Documented Teacher-Student-Resource Person-Administrator Conference focused on violation of policy, cause of behavior, and strategy to prevent recurrence
- ❖ Detention: -Before School -After School -Saturday
- ❖ In - School Suspension (one to five days)
- ❖ Suspension (one to ten days) and/ or Disciplinary Reassignment per KEMET approval
- ❖ Suspension of computer privileges for improper use for up to one year in addition to other disciplinary actions listed. *Second or repeated violations of Inappropriate Behavior 4-13 may result in a request for disciplinary reassignment to another campus and should be submitted as a 5-11 violation.*

GROUP 5 - INAPPROPRIATE BEHAVIORS

The following acts of misconduct include student behaviors that *most seriously disrupt* the orderly educational process of the campus (*campus must notify the police for all following violations except for 5-4, 5-11 and 5-13. In cases 5-4 and 5-13 police notification is left to the discretion of the campus*):

- 5-1** Aggravated assault – assault with a deadly weapon or done by a person who conceals his/her identity, or any assault against school personnel
- 5-2** Burglary – knowing and without authority entering or remaining in a building or vehicle with intent to commit a felony or theft therein

- 5-3** Theft (obtaining or exerting unauthorized control over) or possession (physical control over, including in clothing, lockers or bags) of stolen property exceeding \$150.00 in value
- 5-4** Use of intimidation, credible threats of violence, coercion, 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. For severe bullying, see the Anti-Bullying Policy before assigning an intervention or consequence.
- 5-5** Gross disobedience to the authority of campus personnel
- 5-6** Gang activity, including overt displays of gang affiliation
- 5-7** 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
- 5-8** Engaging in or attempting any other illegal behavior which interferes with the campus' educational process
- 5-9** Persistent or severe acts of sexual harassment – unwelcomed sexual or gender-based conduct (either physical or verbal) and/or conduct of sexual nature which is sufficiently severe, persistent or pervasive to limit a student's ability to participate in or benefit from the educational program or which creates a hostile or abusive school environment
- 5-10** False activation of a fire alarm which causes a campus facility to be evacuated or causes emergency services to be notified
- 5-11** Second or repeated violation of inappropriate behavior 4-13 (possession of any dangerous object, for purposes of this Policy)
- 5-12** 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.
- 5-13** Initiating or participating in any inappropriate, minor physical contact with campus personnel. Such as pushing school personnel out of the way in order to physically fight with another student
- 5-14** Hacking (intentionally gaining access by illegal means or without authorization) into the campus network or use of any computer or information technology device to stalk, harass, threaten, bully or otherwise intimidate others, to access student records or other unauthorized information, and/or to otherwise cause a security hazard.
- 5-15** 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 campus property or personal property belonging to any campus personnel
- 5-16** Inappropriate consensual sexual activity
- 5-17** Use of 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 in or before school or a school-related function.
- 5-18** Second or repeated violation of Behavior 4-14, use or possession of alcohol in school or at, before or after a school-related function
- 5-19** Participating in a mob action – a large or disorderly group of students using force to cause injury to a person or property, or persisting in severe disruption after being directed to cease by school personnel or police.

INTERVENTIONS AND CONSEQUENCES

- ❖ For first-time violations of Group 5 Inappropriate Behaviors, a student shall be suspended for five to ten days, and may be referred for expulsion and/or disciplinary reassignment. For second-time violations of Group 5 Inappropriate Behaviors, a student shall be suspended for ten days and subject to expulsion or Disciplinary Reassignment.

- ❖ Any attempt at an illegal behavior is an illegal behavior itself, and so is included as punishable under this Policy.
- ❖ An example of behavior that would constitute a 5-13 violation is a student pushing campus personnel out of the way in order to physically fight with another student.

GROUP 6 - INAPPROPRIATE BEHAVIORS

The following acts of misconduct include illegal student behaviors that most *seriously disrupt* the orderly educational process on the campus:

- 6-1** Use, possession, and/or concealment of a firearm/destructive device or other weapon or "look-alikes" of weapons as defined in this Policy, or use or intent to use any other object to inflict bodily harm
- 6-2** Intentionally causing or attempting to cause the campus computer network or any portion of it, to become inoperable or malfunction
- 6-3** Arson –knowingly damaging, by means of fire or explosive, a building and/or personal property of others
- 6-4** Bomb threat – false indication that a bomb, or other explosive of any nature, is concealed in a place that would endanger human life if activated
- 6-5** Robbery – taking personal property in the possession of another by use of force or by threatening the imminent use of force
- 6-6** Use, possession, sale, or distribution 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 or repeated violation of Behavior 5-17
- 6-7** Sex violations or aiding and abetting in the commission of a sex violation
- 6-8** 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 school personnel), or aiding and abetting in the commission of an aggravated battery
- 6-9** Murder – killing an individual without legal justification
- 6-10** Attempted murder- an act that constitutes a substantial step toward intended commission of murder
- 6-11** 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
- 6-12** Theft (obtaining or exerting unauthorized control over) or possession (physical control over, including in clothing, lockers or bags) of stolen property that cost more than \$1000

INTERVENTIONS AND CONSEQUENCES

- ❖ Suspension for ten days and/or referral for an expulsion hearing or request for a disciplinary reassignment

APPENDIX

Exhibit A Misconduct Report/Parent Notification Letter

Exhibit B Glossary of Terms

Exhibit C Reference Guide for Groups 4, 5 and 6 Inappropriate Behaviors

Exhibit D Expulsion Hearing, Emergency and Alternative Placement guidelines

Exhibit E Procedural Guide for Students with Disabilities



Kemet Leadership Academy Charter School

Misconduct Report

Campus/Division: _____

Student/Offender: _____ Student ID # _____

Misconduct No: _____ Date: _____ Time: _____

Narrative: _____

Area where misconduct occurred:

- | | |
|--------------------------------------|--|
| <input type="checkbox"/> Classroom | <input type="checkbox"/> Washroom |
| <input type="checkbox"/> Halls | <input type="checkbox"/> Out of School |
| <input type="checkbox"/> Other _____ | |

Participants: _____

- Police Notification
- Arrest: P.D. RD.#
- Expulsion

Disciplinary Action Taken:

- Teacher/Student Conference
- Teacher/Student/Parent Conference
- Teacher/Student/Parent/Administrator Conference
- Suspension _____ Days
- Disciplinary Reassignment

Report completed by: _____ Homework assigned by: _____

Approved by: _____



Kemet Leadership Academy Charter School

Dear Student, Parent or Guardian:

In accordance with the policies and procedures of _____, a KEMET Campus and as authorized by the KEMET Student Discipline Policy _____, _____ has been suspended this day for a period of _____ school days. The cause of this action is identified above. You are invited to attend a conference regarding this suspension. Please call _____ to set up the date and time.

The student/parent has the right to appeal the suspension or any consequence due to behavior administered by the Dean with the Principal and subsequently with KEMET. In addition, the student will be afforded the opportunity to complete any home/class work and/or assessments that took place during the period of suspensions.

Respectfully yours,

Title

Telephone Number



Kemet Leadership Academy Charter School

Parental Notification of Removal of Student from Membership

Date:

Dear Parent/Guardian:

As a result of the meeting held on, _____ your child,
(Date)
_____, will be reassigned for disciplinary reasons
(Name)
and removed from membership at _____, effective
(Campus)
_____ for violation of our discipline policy group number _____.
(Date)

We are referring him/her to the Kemet Leadership Academy Charter School (KEMET) for

reassignment. We will forward the student's academic records upon request. KEMET can

be reached at (773) XXX-XXXX.

If we can be of any further assistance, please call the school at _____.
(Phone)

Sincerely,

Executive Director/Principal



ANTI-BULLYING POLICY

Purpose

The Illinois General Assembly has found that a safe and civil school environment is necessary for students to learn and achieve and that bullying causes physical, psychological and emotional harm to students and interferes with their ability to learn and participate in schools activities. Bullying has been linked to other forms of antisocial behavior, such as vandalism, shoplifting, skipping and dropping out of school. Fighting, using drugs and alcohol, and sexual harassment and violence. It is the goal of the Chicago Board of Education and Youth Connection Charter School (KEMET) to create a learning environment in all its school communities where students are protected from bullying so they feel safe and supported in their efforts to succeed academically and develop emotionally into responsible, caring individuals.

KEMET asks every campus student, with the support of his/her parent(s), guardian(s) and the adults at school, to commit to the following principles, which will apply to everyone on school property and at school-related activities:

- I will not bully others.
- I will try to help anyone I suspect is being bullied.
- I will work to include students who are left out.
- If someone is being bullied, I will tell an adult at school and an adult at home.

Scope

This policy protects KEMET students against bullying and harassment on the basis of actual or perceived race, color, religion, sex, national origin, ancestry, age, marital status, physical or mental disability, military status, sexual orientation, gender-related identity or expression, unfavorable discharge from military service, association with a person or group with one or more of the aforementioned actual or perceived characteristics, or any other distinguishing characteristic. KEMET recognizes the particular vulnerability of students with actual or perceived disabilities and those who identify as or perceived to be lesbian, gay, bisexual or transgender. Nothing in this policy is intended to infringe upon any expression protected by the First Amendment to the United States Constitution or Section 3 of Article 1 of the Illinois Constitution.

Bullying is prohibited:

- (1) During any school-sponsored or school-sanctioned program or activity;
- (2) In school, on school property, on school buses or other KEMET-provided transportation, and at designated locations for students to wait for buses and other KEMET-provided transportation ("bus stops");
- (3) Through the transmission of information from a KEMET computer or computer network, or other electronic school equipment;

- (4) When communicated through any electronic technology or personal electronic device while on school property, on school buses or other KEMET-provided transportation at bus stops 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 or on KEMET provided transportation;
- (6) When it is a Student Code of Conduct group 5 or 6 offense that occurs off campus but seriously disrupts any student's education.

Definitions:

"Bullying" 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 or one or more of the following effects:

- (1) Placing the student in reasonable fear or harm to the student's person or property;
- (2) Causing a substantially detrimental effect on the student's physical or mental health;
- (3) Substantially interfering with the student's academic performance; or
- (4) 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 limitations, 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.

Bullying behavior may also qualify as other inappropriate behaviors listed in the Discipline Policy. When deciding whether inappropriate behavior constitutes bullying. Administrators should consider the student's intent, the frequency or recurrence of the inappropriate behavior, and whether there are power imbalances between the students involved. While bullying is often characterized by repeated acts, sometimes a single incident constitutes bullying depending on the student's intent and power imbalances.

"Cyber bullying" means using information and communication technologies to bully. This definition does not include cyber bullying by means of technology that is not owned, lease, or used by the school district, unless 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 nonschool-related activity, function, or program.

"Retaliation" means any form of intimidation, reprisal or harassment directed against a student, who reports bullying or provides information during an investigation, or witnesses or has reliable information about bullying.

"Peer Conflict" means disagreements and oppositional interactions that are situational, immediate and developmentally appropriate. When school employees are aware of peer conflict, they are expected to guide students in developing new skills in social competency, learning personal boundaries and peaceably resolving conflict, and to model appropriate social interactions. These interventions are designed to prevent Peer Conflict from escalating in to Bullying.

Intervening to Address Bullying

Responsibilities of KEMET Employees and Contractors

All KEMET employees and contractors, including security officers, lunchroom staff and bus drivers, 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 ensure 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, on the KEMET Bullying Complaint Form (Attachment A);
- (3) Cooperate fully in any investigation of the incident and in implementing any safety plan established by the Principal/Designee.

Responsibilities of Students, Parents and Guardians

No student who witnesses bullying may stand by or participate in the bullying, but must notify an adult at school and adult at home as quickly as practical. Any parent or guardian who witnesses or is notified of bullying has an obligation to advise the Principal/Designee as quickly as practical. Reports can be made to any KEMET employee or contractor in person, by completing attachment A and submitting it to the Principal/Designee, or by calling the KEMET offices at (312)328-0799. Anonymous reports will be accepted by the Principal/Designee and KEMET. No disciplinary action will be taken on the sole basis of an anonymous report.

Investigation

- (1) The Principal shall select a designee, employed by the school and trained in investigative procedures to perform the investigation.
- (2) Investigation of a bullying incident shall be initiated within five school days of receipt of a report and completed within 10 school days, unless the Principal grants in writing an additional 5-day extension due to extenuating circumstances. Principal/Designee shall document the extension in the investigation report and shall notify the parties involved.
- (3) 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. The alleged perpetrator and target should never be interviewed together or in public. Individual interviews shall also be conducted in private with student and adult bystanders.
 - c. Determining how often the conduct occurred, any past incident or continuing pattern of behavior, and whether the target's education was effected.
 - d. 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.
 - e. Preparing when appropriate, a Misconduct Report identifying his/her recommendation for individual consequences.

- f. Comprehensively documenting the details of the investigation.
- (4) When the investigation is complete, the Principal/Designee shall ensure the investigation report is attached to the Incident Report.

Notification

On the same day the investigation is initiated, the Principal/Designee shall report to the parent/legal guardian of all involved students, via telephone, personal conference and/or writing, the occurrence of any alleged incident of bullying, and shall document these notifications in the Incident Report. When the investigation is complete the principal/Designee shall notify the parents/legal guardians of the students involved of the outcome of the investigation. Parents/legal guardian of the students who are parties to the investigation may request a personal conference with the Principal/Designee to discuss the investigation, the findings of the investigation, the actions taken to address the reported incident of bullying, and any resources available in or outside the school to help the students address the underlying reasons for the bullying.

If the investigation results in the imposition of consequences, the Principal/Designee may advise the parent/legal guardian of students other than the perpetrator that the Student code of Conduct was followed. S/he may not advise them of the specific consequences imposed, as not to violate the confidentiality of school-records information and as required by law.

When communicating incidents of bullying to the target's parent/guardian, the Principal/Designee should consider whether the student may want to keep certain information confidential. For example, if a student is bullied after coming out as gay; the Principal/Designee shall not disclose the student's sexual orientation to the parent/guardian without the student's permission, unless there is a legitimate, school-related reason for doing so.

If the target is a student with a disability, that affects social skill development or makes the student vulnerable to bullying, the school shall convene the IEP Team to determine whether additional or different special education or related services are needed to address the student's individual needs and revise the IEP accordingly. For example, if the student's disability affects social skill development or makes the student vulnerable to bullying. In cases where the student engaging in bullying behavior has a disability, the Principal/Designee shall ask the student's IEP Team to consider whether the IEP should include provisions to develop the student's skills and proficiencies to avoid and respond to bullying. 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.

Assigning Interventions and/or Consequences

Many Peer Conflicts can be resolved immediately and do not require reporting or creation of a Misconduct or Incident Report. If, however, a conflict is ongoing and meets the definition of bullying, the investigation procedures in this policy must be followed.

Schools must 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 behavior and performance. Appropriate responses and consequences are outlined in the Student Code of Conduct. Schools should avoid using punitive discipline (detention, suspensions, and expulsions) if any other method or consequence can be used

with fidelity. Contact Youth Connection Charter School for more information about the appropriate and legal consequences for student misconduct.

When an investigation determines that bullying occurred, the Principal/Designee shall explain the consequences in a non-hostile manner, and shall impose any consequence immediately and consistently. The Principal/Designee shall keep communicating and working with all parties involved until the situation is resolved. Some key indicators of resolution include:

- The perpetrator is no longer bullying and is interacting civilly with the target.
- The target reports feeling safe and is interacting civilly with the perpetrator.
- School staff notice an increase in positive behavior and social-emotional competency in the perpetrator and/or the target.
- School staff notice a more positive climate in the areas where bullying incidents were high.

What Not To Do:

- Solicit an apology from the perpetrator to the target, use peace circles, victim/offender conferences, or any form of mediation that put the perpetrator and target in contact with one another in an immediate attempt to resolve the bullying. Restorative approaches may be helpful but only if used after the interventions have balanced the power differential between the perpetrator and target.
- Dismiss bullying as typical student behavior or assume it is not serious.

Referrals

Interventions with bullies should not focus on feelings, but on changing thinking. The Principal/Designee shall refer students who bully to positive-behavior small-group interventions (for anger management, trauma or social skills), social work, counseling or school psychological services within the community and/or school, if possible, to reinforce the behavioral expectation they violated and increase their social-emotional competency.

The targets of bullying need protection from bullies, but may also need support and help in changing their own behavior. The Principal/Designee shall ask a school mental health professional to refer these students to individual or group therapy where they can openly express their feelings about their bullying experience, social-skills training and/or groups where they can practice assertiveness and coping mechanisms, or social work, counseling or school psychological services available within the school.

Appeal

Any party who is not satisfied with the outcome of the investigation may appeal to the KEMET offices within 15 calendar days of notification of the Principal's decision. The KEMET administrator shall render a final determination in accordance with the timeline and procedures set out in the anti-bullying appeal guidelines established by KEMET. KEMET may return the incident to the Principal or designee for further investigation or reconsideration of the consequences(s), direct the imposition of other consequence(s), or deny the appeal. KEMET shall notify the party requesting the appeal and Principal that its decision is final and shall document that notification in the Incident Report.

Consequences for KEMET Employees and Contractors

When it is determined that an employee or contractor was aware that bullying was taking place but failed to report it, the employee/contractor will be considered to have violated this policy. The Principal shall consider employee discipline for such violations in accordance with the KEMET Employee Discipline and Due Process Policy. Remedies with respect to contractors will be in accordance with their contract.

Notice and Dissemination of Requirements

Principals shall follow the requirements established by KEMET for posting this Anti-Bullying Policy on the school's website, in the school building as well as disseminating and presenting this Policy to the school staff as part of professional development prior to the start of the school year.

Training and Professional Development

KEMET will work with school administrators to determine how to best provide mandatory professional development to build the skills of all KEMET/Contractors and volunteers to implement this policy. The Content of such professional development shall include, but not be limited to:

- (1) Developmentally appropriate strategies to prevent incidents of bullying as well as effective interventions when bullying occurs;
- (2) Information about the complex interaction and power differential that can take place between and among a perpetrator, target, and witness to the bullying;
- (3) Research findings on bullying, including information about specific categories of students who have been shown to be particularly at risk, and any specific interventions that may be particularly effective for addressing bias-based bullying; and
- (4) Information about internet safety issues as they relate to cyber bullying.

Student Internet Safety Education

In accordance with KEMET' Internet Safety Policy each campus shall incorporate into the school curriculum a component on internet safety to be taught at least once each school year to all students. The Chief Office of Teaching and Learning or designee shall determine the scope and duration of this unit of instruction and topics covered. At a minimum, the unit of instruction shall address: (a) safety on the internet; (b) appropriate behavior while online, on social networking Web sites, and in chat rooms; and (c) cyber bullying awareness and response. The age-appropriate unit of instruction may be incorporated into the current courses of study regularly taught.

Attachment A
Form for Reporting Bullying and Retaliation

NOTE: The reporter may remain anonymous, but no discipline will be imposed based solely upon an anonymous report.

Please submit this report to the Principal or any school staff member. You may also fax your report to Kemet Leadership Academy Charter School at (312) 328-0971

Victim or Target Information

Campus: _____

Name(s) of Victim/Target:

Reporting information (*Optional for students/parents/guardians)

Name & Title of Person Reporting _____

Relationship to Victim/Target: _____

Phone: _____ Email Address: _____

Incident Information

Name(s) of accused bully(ies) OR Description (if name(s) unknown):

Location of incident: _____

Date and time of incident: _____

Approximate dates, time and frequency of prior incident(s) _____

Describe what happened and who was present in as much detail as possible (required information)

Date of submission: _____

Exhibit B
GLOSSARY OF TERMS

Aggravated assault - Any assault done with a deadly weapon or done by a person who conceals his/her identity, or any assault against campus personnel.

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

Arrest - Detention of a person by a police officer resulting from a criminal charge and a complaint filed with the police by campus 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 - An attempt or reasonable threat to inflict injury on someone which is accompanied by a show of force which would cause the victim to expect an immediate battery. An assault may be committed without actually touching, striking or injuring the victim.

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

Ballistic knife - A device that projects a knifelike blade as a projectile by means of a coil spring, elastic material, or compressed gas.

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 nonverbal 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. Cyber bullying.

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 or against campus rules to possess.

Delivery - The act of selling or distributing fireworks, alcohol, illegal drugs, narcotics, controlled substances, contraband or "look-alikes" of such substances to others for the purpose of intoxication or profit.

Disciplinary Reassignment - The transfer of a student from his or her current campus to another for disciplinary reasons.

Disorderly conduct - An act done in an unreasonable manner so as 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 intervention or consequence is necessary.

Expulsion - The removal of a student from a campus for 11 days or more, to a maximum of 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 campus for failure to comply with immunization requirements.

Expulsion Hearing - Students who are recommended for expulsion are entitled to a hearing before the board of Directors designee's. At that hearing, the student and the parents or legal guardian have the right to be represented by legal counsel.

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.

Information Technology Devices - These include, but are not limited to: computers, cellular 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.

Inoperable Network - A network is considered inoperable for purposes of this Policy when it is unable to perform at the level of functionality intended by its maintainers.

In-School suspension - The student remains at campus. All privileges are suspended, classes are not attended. The action is recorded in the student's file. In-School suspension shall not exceed five days and parents must be notified.

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, campus personnel and campus 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 - "Campus grounds" refers to the campus and the campus property adjacent to the building.

Loitering - Occupying an unauthorized place at the campus or on the campus 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 Campus Policy Section 34-18.9.

Restorative Justice - A way of thinking and responding to conflict and problems that involves all participants in figuring out what happened, how it affected everyone and how to make things right-- Everyone involved is part of the problem-solving process.

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

Campus Peer Juries - Campus Peer Juries are used in student courts as an alternative to other intervention or consequence. The hearings may be held at the campus that is attended by the offender or at a campus within the Area of the offender's campus. In order to appear before a Campus Peer Jury, the offending student must admit to committing the misconduct, and the student and parent must agree to abide by the decisions of the Campus Peer Jury and complete the disciplinary actions it recommends. To participate in Campus Peer Juries, a student must be referred by the Principal, or other campus discipline administrator, as approved by the principal. Members must receive specialized training.

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 campus environment.

Suspension - The involuntary removal of a student from class attendance or campus 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 campus grounds during the period of suspension. Appeals to suspensions may be made to the Chief Executive Officer or designee. Campuses 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. **Suspension days are not to be recorded as unexcused absences and do not count towards dismissal for excessive absences.**

Switchblade knife - A knife with a blade that opens automatically by hand pressure applied to a button, spring, or other device in the handle of the knife.

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

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

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

Weapon - 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. See Exhibit D for more detail.

Exhibit C

REFERENCE GUIDE FOR GROUPS 4, 5 AND 6 INAPPROPRIATE BEHAVIORS INVOLVING DANGEROUS OBJECTS, WEAPONS OR LOOK-ALIKE WEAPONS SECTIONS 4-13 AND 5-11

If a student simply has any of these objects in his or her possession, but does not use them, (s)he should be charged with a violation of Section 4-13 of the SCC for a first-time violation or 5-11 of the SCC for a second or repeated violation. *If a student uses, or intends to use, any of these objects to inflict harm on someone, the student should be charged with a violation of Section 6-1.*

Knives - these include but are not limited to:

Steak knife or other kitchen knives
Pen knives/Pocket knives
Hunting knives
Swiss Army knife
Box cutters
Razors

Tools - these include but are not limited to:

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

Other Objects - these include but are not limited to:

Mace/Pepper spray
Live ammunition/Live bullets
Broken bottles or other pieces of glass
Wooden sticks/boards

SECTION 6-1

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

Firearms - these include:

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

Knives - these include only the following types of knives:

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

Explosive Devices/Gases - these include:

Tear gas guns
Projector bombs
Noxious liquid gas
Grenades

Other explosive substances

Other Objects - these include:

Blackjack
Slingshot
Sand club
Sandbag
Metal/brass knuckles
Throwing stars

"Look-Alike" Firearms - these include:

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

6-1 SPECIAL CONSIDERATION

If a student simply has any of these objects, or any other similar object in his/her possession, (s)he should not be charged with a violation of the SCC. *If a student uses, or intends to use any of these objects to inflict bodily harm on someone, the student should be charged with a violation of Section 6-1.*

Tasers/stun guns

Sporting Equipment - these include but are not limited to:

Baseball bats
Golf clubs

Personal Grooming Products - these include but are not limited to:

Nail clippers/files
Combs with sharp handles
Tweezers

Campus Supplies - these include but are not limited to:

Scissors
Rulers
Laser pointers
Padlocks/Combination locks
Pens/Pencils.
Other objects commonly used for educational purposes

**Exhibit D:
EXPULSION HEARING, EMERGENCY AND ALTERNATIVE PLACEMENT GUIDELINES**

Expulsion Referral

- Expulsion is the 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 of the Discipline Policy, a campus principal may choose to refer the student for reassignment/expulsion with a written justification submitted to KEMET.
- If a student's inappropriate behavior falls within Group 6 of the Discipline policy, a campus principal must refer the student for reassignment/expulsion.
- Campuses submit expulsion referrals to KEMET's Assistant Executive Director. The Assistant Executive Director will review the expulsion referral and prepare the case for KEMET's Board review. The KEMET Board will then schedule an expulsion hearing.
- Parents and guardians of students referred for expulsion will be sent a notification letter. The letter will provide a description of the incident, the date of the incident, the Discipline Policies inappropriate behavior code(s), as well as the place, time and date for the expulsion hearing. The notice will be sent by registered or certified mail or delivered in person.

Emergency Assignment to Alternative Placement

- Students with disabilities may be referred for emergency alternative placement when in possession of weapons or large amounts of drugs, or for causing serious bodily injury to another person, when the misconduct occurred on school grounds or at a school-sponsored event. For students with disabilities whose misconduct presents a danger to themselves or others in a manner other than those specified above, KEMET will consult with Dispute Resolution. Students with disabilities may be given an emergency alternative placement for maximum period of 45 schools days even in instances where the student's misconduct is ultimately determined to be a manifestation of his or her disability.

Expulsion Hearing Procedures

- Before the hearing, campus principals are responsible for assisting KEMET with case preparation by identifying witnesses and submitting relevant documents, as well as reviewing all documentation regarding the incident to ensure it is complete, accurate, and properly written.
- The hearing will be conducted before the KEMET board. The Assistance Executive Director will call witnesses to testify and introduce documents regarding the incident. The student may also call witnesses to testify and introduce documents regarding the incident.

Expulsion Final Determination

- After the hearing, the KEMET board will make one of the following recommendations: Do not expel, Reassign to another campus, or Expel (for a set term of one semester up to two calendar years).
- If a Student is expelled from KEMET, the CPS Department of Student Adjudication must be notified to determine appropriate placement for the student per the Chicago Board of Education's Policy on Enrollment and Transfer of Students in the Chicago Public Schools. (Policy Manual Section 702.1at section 1.F.2.).

PROCEDURAL SAFEGUARDS FOR DISCIPLINE OF STUDENTS WITH DISABILITIES/IMPAIRMENTS¹

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 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. 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 Department of Procedural Safeguards and Parental Supports (773/553-1905) is absolutely 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. The 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

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

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.



ACKNOWLEDGEMENT OF RECEIPT OF THE STUDENT DISCIPLINE POLICY

Student Agreement

I, _____ (print student's name) have received and read the Discipline Policy. I am aware of my rights and responsibilities under the Discipline Policy. Furthermore, I understand that acts of misconduct or inappropriate student behavior will result in interventions and consequences as stated under the Discipline Policy.

Student Signature

Date

Parent/Guardian Agreement

I am the parent or guardian of the above named student. I have received and read the Discipline Policy. I understand that by signing this document, I agree to support and promote the goals of the discipline policy and make every effort to work with the school in resolving all disciplinary matters.

Parent/Guardian Signature

Date