

# Chicago Public Schools

## Student Bill of Rights

### PREAMBLE

Every student has *rights*. A *right* is a freedom or protection that a person has. Rights define what is allowed of a person or owed to a person.

Your rights *are part of you* regardless of your actual or perceived sexual orientation, gender or sex (includes gender identity, gender expression, pregnancy, childbirth, breastfeeding, and pregnancy related medical conditions), age (40 and above), race or ethnicity, ethnic group identification, ancestry, nationality, national origin, religion, color, mental or physical disability, immigration status, marital status, registered domestic partner status, genetic information, political belief or affiliation (not union related), military status, unfavorable discharge from military service, or on the basis of your association with a person or group with one or more of these actual or perceived characteristics. Your rights *belong to you* and cannot be threatened or taken away.

The Chicago Public Schools (CPS) *Student Bill of Rights* (SBOR) is a living document that spells out the rights that every student has and that everyone, including students themselves, should respect. This document can evolve with student sentiment, policy and societal change. This can happen by talking about the SBOR, by putting it into everyday action, and through amendments over time by students, families, communities, teachers, and administrators.

The purpose of the SBOR is to clarify, protect, promote, and inform students of their basic rights. Sharing the SBOR is an expression of the dignity and value of all students. Many people were involved in creating the CPS SBOR including staff from various CPS departments and even students like you.

The rights listed in the document come from many sources: existing local, state, and federal laws, including, Chicago Board of Education policies and examples of SBORs from other school districts. The CPS SBOR is also inspired by the [Universal Declaration of Human Rights](#) which expresses the basic freedoms owed to all human beings. More information about the source of these rights can be found by clicking the blue [hyperlinks](#), or following the sources at the end of the document.

CPS exists to provide free, accessible, high-quality public education. Protection and promotion of student rights are fundamental to safe and supportive school environments where education happens. These conditions are essential to student health and well-being and the key to learning.

*Student rights are human rights.*

*Every student has a right to:*

## 1. FREE PUBLIC EDUCATION

- 1.1 A free public education that is complete and focused on the “whole child” so all students feel healthy, safe, engaged, supported, and challenged. This education must also meet federal standards, like the Every Student Succeeds Act.<sup>4</sup>
- 1.2 High-quality, rigorous curriculum that prepares students for success in college, career, and civic life, and inspires students to think critically and contribute high-quality work.
  - 1.2a This curriculum should address academic and social-emotional learning opportunities for all students, including diverse learners, English learners, and advanced learners.<sup>2</sup>
- 1.3 A written copy of the CPS Student Code of Conduct.<sup>2</sup>
- 1.4 Information about graduation requirements and electives, including courses, examinations, grading rules, and information on assistance to meet requirements.<sup>2</sup>
- 1.5 Information about how to enroll in special programs or courses such as Career and Technical Education (CTE) programs; and honors, AP, and IB courses.
- 1.6 Instruction from teachers that have been trained to deliver and explain rigorous content appropriate for the grade level and subject.<sup>2</sup>
- 1.7 Regular updates, formal and informal, about their learning progress and promotion.<sup>2</sup>
- 1.8 Regular access to a school counselor in order to get confidential personal, social, educational, behavioral, and career advice and resources.<sup>1 2 3</sup>
  - 1.8a CPS counselors are “mandated reporters.” This means that if a student under the age of 18 discloses information indicating that they are being abused, may be in harm, or are/may be planning to harm themselves, the counselor must notify the student’s parent/guardian and/or proper authorities.<sup>10 11</sup>
- 1.9 Expect involvement in decision-making about how schools work by participating in the Local School Council (LSC), Student Advisory Council (SAC), Student Voice Committee, student council, or other school/community-based organization.<sup>3</sup>
- 1.10 Special protections for diverse learners such as, students who have or are in the process of obtaining an Individualized Education Program (IEP). This is covered by a federal law called the Individuals with Disabilities Act (IDEA).<sup>2</sup>

## 2. SPEAK, ADVOCATE, ORGANIZE AND PARTICIPATE

- 2.1 Freedom to meet and communicate with others peacefully; to speak freely, share ideas and opinions, and protest in ways that neither violate the dignity of others nor interfere with school programs or rules<sup>1 2 3 13</sup>; This may happen through social media as well as physical or electronic/

digital circulation of information such as newspapers, literature, leaflets, or petitions on school property and in accordance with school cell phone policy.

- 2.2** Advocate for yourself, your peers, your school, and your community. This includes, but is not limited to: making recommendations for courses, clubs, and activities that will enrich your school community; engaging in civic discourse about topics and issues that impact your community; informing or evaluating school policy; having access to the information you need in order to improve the health and wellness of your school.
- 2.3** Serve on or participate in meetings held by Student Voice Committees, Student Government, Student Advisory Councils, Local School Councils as well as other activities, clubs, and organizations including social and educational clubs; political, religious, and philosophical groups; or teams available at their school without discrimination.<sup>2,3</sup>
- 2.4** Wear what they choose within school-based uniform guidelines. Depending on the school's dress code, this includes accessories with political or religious messages that are not disruptive, unsafe, Bias-based/discriminatory, or blatantly offensive to others.<sup>2</sup>

### **3. HEALTH, NUTRITION, AND PERSONAL CARE**

- 3.1** Access to health care and protection from preventable illnesses;<sup>1</sup>
  - 3.1a** In Illinois, children age 12 and over can give their own permission (consent) to receive specific health services (including sexual health services and mental health care). This means a parent or guardian does not have to be notified in order for a student to get this care. Also, for students who have public health insurance (called Medicaid), no bill/explanation of the care can be sent to the parent or guardian.<sup>4</sup>
  - 3.1b** Healthcare providers in Illinois are "mandated reporters". This means that if a student under the age of 18 discloses information indicating that they are being abused, may be in harm or are planning to harm themselves, the provider must notify the student's parent/guardian and/or proper authorities.<sup>10,11</sup>
  - 3.1c** In Illinois, ALL victims of sexual assault/abuse can receive sexual/mental health services related to the assault for free regardless of status.<sup>15</sup>
- 3.2** Access to free menstrual hygiene products in all high school bathrooms and elementary/middle school bathrooms for students in grades 6-12. This is covered by a state law called the Learn with Dignity Act.<sup>1</sup> This program is still being introduced in some elementary/middle schools.
- 3.3** Information about school-based screening and exams for health (medical, dental, hearing, vision), thinking and learning, and language issues. This information should be delivered promptly and in ways that families can understand.<sup>1,2</sup>
- 3.4** Access to available school-based health centers and mobile care providers ("health vans") if parents give permission (consent).

- 3.5** Access to high-quality, medically accurate, and age/developmental stage appropriate [Comprehensive Sexual Health Education in grades K-12](#). Students should receive 300 minutes per year of instruction on these topics in grades K-4, and 675 minutes per year in grades 5-12.
- 3.5a** In order to stay safe and healthy, students must understand their bodies and boundaries. This is in line with both the [CPS Policy Manual](#) and [Erin's Law](#).<sup>8</sup>
- 3.6** Be provided free, healthy school meals that meet local, state, and federal nutrition requirements; This is in keeping with the [USDA Community Eligibility Provision](#).<sup>5</sup>

#### 4. FAIR CONSEQUENCES

- 4.1** Use of restorative practices wherever applicable in assigned discipline pursuant to Student Code of Conduct discipline guidelines. Restorative practices are, a system that focuses on ways to repair any harm that happens as a result of a conflict, and provides pathways to address healing within a community.<sup>1</sup>This is in keeping with state law [Public Act 99-0456](#).<sup>4</sup>
- 4.2** Receive help after suspension, and to make up work missed because of a suspension.<sup>14</sup> This is also in keeping with state law [Public Act 99-0456](#).<sup>4</sup>
- 4.3** Be informed of reported misbehavior with both a verbal and written notification at the time of being disciplined and be provided with an opportunity to respond.<sup>4</sup>
- 4.4** A clear understanding that punishment cannot be cruel or humiliating, and to know how and why any punishment is being used.<sup>1, 14</sup>
- 4.5** Be provided information about how to appeal (ask for reconsideration of) any school decision about punishment before an incident occurs.<sup>2, 14</sup>
- 4.6** Freedom from physical (corporal) punishment, verbal abuse, unfair searches (meaning without cause or reason), or any unusual form of punishment. District employees should not inflict any type of corporal punishment on any student.<sup>2, 3, 14</sup>
- 4.7** Be informed of their rights in any case of police interactions or involvement in school, including:<sup>14</sup>
  - 4.7a** All efforts by school staff to notify a parent/guardian in the event of a notification of law enforcement and the presence of a parent/guardian or school clinician during any interaction with a law enforcement officer. This is in keeping with [Public Act 101-0478](#).
  - 4.7b** Remain silent in any conversation with a law enforcement officer.
  - 4.7c** Refuse to give consent to be searched by the police, including electronic devices (this may not stop the search.)
  - 4.7d** Students shall not be removed from the classroom or common areas of the school by CPD unless an emergency, as defined in the Student Code of Conduct policy, exists.
  - 4.7e** Receive trauma-responsive de-escalation strategies and

restorative, behavioral health supports and interventions by school staff in all cases where law enforcement may become involved. This is in keeping with [Public Act 101-0478](#).

## 5. SAFE, SECURE, AND SUPPORTIVE SCHOOL ENVIRONMENT

- 5.1** Be treated with courtesy and respect by all district staff regardless of actual or perceived sexual orientation, gender or sex (includes gender identity, gender expression, pregnancy, childbirth, breastfeeding, and pregnancy related medical conditions), age (40 or above), race or ethnicity, ethnic group identification, ancestry, nationality, national origin, religion, color, mental or physical disability, immigration status, marital status, registered domestic partner status, genetic information, political belief or affiliation (not union related), military status, unfavorable discharge from military service, or on the basis of your association with a person or group with one or more of these actual or perceived characteristics.
  - 5.1a** Students may file a report if they feel they are being discriminated against at their school, with the school and network administration, [CPS Office of Student Protections and Title IX \(OSP\)](#), or with the [U.S. Department of Education, Office for Civil Rights](#).<sup>4</sup>
  - 5.1b** *If a student is being sexually harassed or targeted because of their actual or perceived membership in one or more protected categories pursuant to the [Comprehensive Non-Discrimination Policy](#) the student may file a report with OSP online at [www.cps.edu/osp](http://www.cps.edu/osp) or by calling 773-535-4400. If it is an emergency, call 911. CPS employees must take [additional steps](#) to report signs of student abuse including calling the Illinois Department of Children and Family Services and the Office of Inspector General.*<sup>1,2</sup>
- 5.2** Feel mentally and physically safe and secure in school, and to report any incident that makes them feel unsafe or insecure, including sexual assault, inappropriate remarks, grooming, groping, inappropriate behavior, verbal assault, bullying, or any other type of harassment.<sup>1,2,3</sup>
  - 5.2a** Students also have the right to receive regular updates about actions taken in response to their report of not feeling safe.<sup>1</sup>
- 5.3** A safe school building and access to clean facilities including bathrooms, classrooms, gyms, hallways, and cafeterias.<sup>1,3</sup>
- 5.4** Protection of privacy covered by the [Family Educational Rights and Privacy Act \(FERPA\)](#)<sup>2</sup>; This means no one has the right to interfere in students' or families' private lives or to look at or expose their private information without permission.
- 5.5** Protection under [Title IX](#), a federal law that requires schools to prevent, recognize, respond, and remedy sexual violence, sexual harassment, and discrimination on the basis of sex and/or gender. Under this law:
  - 5.5a** Students have a guaranteed right to freedom from harassment and discrimination based on sex, sexual orientation, gender, gender identity, and gender expression; this includes sexual harassment and/or sexual violence.<sup>6</sup>

- 5.5b** Students are guaranteed the freedom to report an incident to school and/or police (and to receive a prompt and fair response).<sup>6</sup>
- 5.5c** *If a student is experiencing gender-based discrimination, sexual harassment, or other sexual misconduct they can file a report with the school, network staff and OSP at 773-553-4400. If it is an emergency, call 911. CPS employees must take additional steps to report signs of student neglect and abuse including calling the Illinois Department of Children and Family Services and the Office of Inspector General.*<sup>12</sup>
- 5.5d** *For students who are pregnant or parenting:*
  - 5.5d<sub>1</sub>** Guaranteed freedom to continue to attend classes and extracurricular activities while pregnant (without needing a doctor's note).<sup>2</sup>
  - 5.5d<sub>2</sub>** Guaranteed freedom to receive excused absences due to pregnancy related conditions or illnesses, breastfeeding or childbirth (with a doctor's note).<sup>2</sup>
  - 5.5d<sub>3</sub>** *District staff should not coerce students into attending another school due to pregnancy.*

## ENDNOTE REFERENCES

1. [MIKVA Student Council Bill of Rights Early Draft](#)
2. [New York City Bill of Student Rights and Responsibilities, K-12](#)
3. [Lincoln High School Student Bill of Rights and Responsibilities](#)
4. [Early CPS Draft](#)
5. [Office of Student Health and Wellness - Healthy Foods](#)
6. [Know Your Rights: Title IX Prohibits Sexual Harassment and Sexual Violence Where You Go to School](#)
7. [Know Your Rights: Pregnant or Parenting? Title IX Protects You From Discrimination At School](#)
8. [Chicago Public Schools Policy Manual: Sexual Health Education](#)
9. [CPS Integrity Memo #9](#)
10. [Illinois Department of Children & Family Services, Child Protection](#)
11. [Chicago Public Schools Policy Manual, Reporting Of Child Abuse, Neglect And Inappropriate Relations Between Adults And Students](#)
12. [See Something Say Something: Protocol for Reporting Allegations of Sexual Misconduct](#)
13. [Addressing Bullying and Bias-based Behavior Policy, Chicago Public Schools](#)
14. [Student Code of Conduct Policy, Chicago Public Schools](#)
15. [Illinois General Assembly Public Act 099-0801](#)