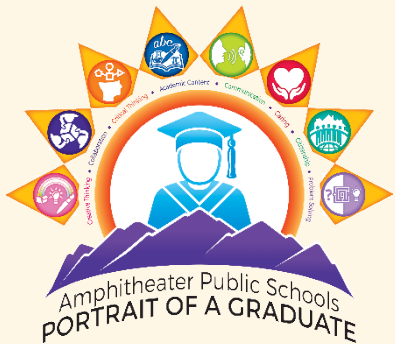




Study of District's 24/7 Rule





Items to be Presented by Administration about the 24/7 Rule

1. General Information about the 24/7 Rule
 - History
 - Purpose
 - Where it is codified
 - How students and families are informed about the 24/7 Rule each year
2. Review current language of the 24/7 Rule
3. Provide clarification about some concerns raised through public comment and the court case
4. Outline an option for gathering stakeholder input on the possibility of keeping the 24/7 Rule consistent or revising it for next school year to implement a tiered approach
5. Recommend studying input from stakeholders when the Governing Board studies the Code of Conduct for 23-24, which usually occurs in April before the next school year.



General Information

24/7 Rule

- Governing Board Policy approved annually as part of the Student Code of Conduct
- Included in Student Code of Conduct for more than 20 years without revision
- Education about the 24/7 Rule occurs annually
 - Copy provided to families annually at start of school
 - Reviewed with students in class
 - Included in athletic packet - students and parents sign to acknowledge reading it
 - Coaches are told to review it with their team(s)
 - Reviewed at mandatory Parent Meeting this year





24/7 Rule Discussed 3 Times in Code

Are there special considerations for athletes and extracurricular participants?

Students participating in interscholastic activities for their schools do so as representatives of their school community and as role models for other students. Their involvement with tobacco, drugs, and alcohol at any time can therefore negatively reflect upon their community and convey a poor example to their peers. In addition, the use of tobacco, drugs or alcohol by athletic or activity participants can lead to an increased risk of harm or severe injury to themselves or others during those activities.

The Amphitheater District therefore maintains a zero tolerance "24/7" policy on the use of tobacco, drugs, or alcohol by interscholastic participants. Any interscholastic participant who uses, possesses or transfers tobacco, alcohol or drugs at any time during their active season of competition will be immediately removed from the activity for the balance of the season. This rule applies 24 hours a day, seven days a week, regardless of a student's location.

Similarly, other behaviors by student representatives can reflect upon their team, school, and community. Students participating in interscholastic activities should be mindful at all times of the important role they play in their school community and how their behavior can negatively impact their fellow teammates, their fellow students, and the school in general. Whether at a team event, a school activity, a community function, or on the internet, student representatives must always observe

14

appropriate decorum, behavior, and etiquette when acting in any way that is connected to the school or team.

Special 24/7 Rule for Interscholastic competitors and athletes

Interscholastic participants, who use, possess or distribute tobacco, drugs or alcohol at any time during their season of competition will be removed from the activity for the balance of the season. This rule applies 24 hours a day, seven days a week, regardless of a student's location.

Special Disciplinary Rules

Weapons and Drugs

In the case of *weapon or drug distribution* violations, long-term suspensions, and expulsion hearings are (MANDATORY), with limited exceptions.

Possession of weapons is a particularly serious matter. Federal and state law require the school District to expel any student – for no less than one school year - who brings a firearm to school or to a school activity. The law provides for very limited exceptions to this strict rule, which can only be determined by the Governing Board of the District on a case-by-case basis.

Special Rule for Athletic and Activity Participants

Students participating in interscholastic activities for their schools do so as representatives for their school community and as role models for other students. When those students engage in drug or alcohol related behavior, it can negatively reflect upon their school community and can jeopardize their safety or that of other participants. Such involvement by these student leaders also sets a poor example for their peers.

As a consequence, the Amphitheater District maintains a "24/7" policy on the use of drugs or alcohol by interscholastic activity participants. Any participant who uses, possesses or transfers tobacco, alcohol or drugs at any time during a season will be immediately removed from the activity for the balance of that season. This rule applies 24 hours a day, seven days a week, regardless of a student's location.

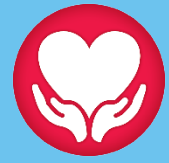
Other (non-drug or alcohol related) behaviors by student representatives can also reflect upon their team, school and community. Students participating in interscholastic activities should be mindful at all times of the important role they play in their school community and how their behavior can negatively impact their fellow teammates, their fellow students, and the school in general. Whether at a team event, a school activity, a community function, or on the internet, student representatives must always observe appropriate decorum, behavior, and etiquette when acting in anyway that is connected to the school or team.

Threatening an Educational Institution

Arizona law prohibits any person, including students, from threatening the safety and security of a public school or school district.

In accordance with Arizona Revised Statutes Section 15-841(H), a student who threatens a school must be expelled for a period of no less than one full year. The School District Governing Board may only rarely modify this strict expulsion requirement on a case-by-case basis.

A student subject to this expulsion requirement may also be assigned to an alternative educational program if the student participates in mediation, community service, restitution, or other programs in which the student takes responsibility for the results of the threat. The District may require the student's parent(s) to participate in such programs with the student as a condition to the student's reassignment to an alternative educational program.





Reason for Rule

Pages 14-15

Are there special considerations for athletes and extracurricular participants?

Students participating in interscholastic activities for their schools do so as representatives of their school community and as **role models for other students**. Their involvement with tobacco, drugs, and alcohol at any time can therefore negatively reflect upon their community and convey a **poor example to their peers**. In addition, the use of tobacco, drugs or alcohol by athletic or activity participants can lead to an **increased risk of harm or severe injury to themselves or others** during those activities. The Amphitheater District therefore maintains a zero tolerance “24/7” policy on the use of tobacco, drugs, or alcohol by interscholastic participants. Any interscholastic participant who uses, possesses or transfers tobacco, alcohol or drugs at any time during their active season of competition will be immediately removed from the activity for the balance of the season. This rule applies 24 hours a day, seven days a week, regardless of a student’s location. Similarly, other behaviors by student representatives can reflect upon their team, school, and community. Students participating in interscholastic activities should be mindful at all times of the important role they play in their school community and how their behavior can negatively impact their fellow teammates, their fellow students, and the school in general. Whether at a team event, a school activity, a community function, or on the internet, student representatives must always observe appropriate decorum, behavior, and etiquette when acting in any way that is connected to the school or team.



Special Rule for Athletic and Activity Participants

Students participating in interscholastic activities for their schools do so as representatives for their school community and as role models for other students. When those students engage in drug or alcohol related behavior, it can negatively reflect upon their school community and can jeopardize their safety or that of other participants. Such involvement by these student leaders also sets a poor example for their peers. As a consequence, the Amphitheater District maintains a “24/7” policy on the use of drugs or alcohol by interscholastic activity participants. Any participant who uses, possesses or transfers tobacco, alcohol or drugs at any time during a season will be immediately removed from the activity for the balance of that season. This rule applies 24 hours a day, seven days a week, regardless of a student’s location. Other (non-drug or alcohol related) behaviors by student representatives can also reflect upon their team, school and community. Students participating in interscholastic activities should be mindful at all times of the important role they play in their school community and how their behavior can negatively impact their fellow teammates, their fellow students, and the school in general. Whether at a team event, a school activity, a community function, or on the internet, student representatives must always observe appropriate decorum, behavior, and etiquette when acting in anyway that is connected to the school or team.





Consequence for Violating Rule

Page 18

Special 24/7 Rule for Interscholastic competitors and athletes

Interscholastic participants, who use, possess or distribute tobacco, drugs or alcohol at any time during their season of competition **will be removed from the activity for the balance of the season**. This rule applies 24 hours a day, seven days a week, regardless of a student's location.



Application of 24/7 Rule

Applied with Other Disciplinary Consequences

- When a student engages in conduct that violates the 24/7 Rule at school or a school-related event (pgs. 10-11)
- Applied with the appropriate school and/or district level disciplinary action (pgs. 12-13)
- Consequences may result in the student being removed from school as explained in the progressive discipline matrix (pg. 16-37)

Applied on Its Own

- 24/7 Rule applied to remove student from athletic team only
 - Student can still attend school and school functions
- Removal from team for that year
 - Removal from that sport only
 - Removal is for the full season and includes any playoffs or post-season competitions
- Applies 24/7 during season regardless of student's location
 - Applies at times when other school and district level disciplinary actions may not apply (pgs. 10-11)





Clarifications



1. Responsibility for Student Possession of Alcohol

- Public commentators have suggested that the definition of “possession” is vague
- They claim student athletes can be removed for a 24/7 Rule violation for:
 - Eating at a restaurant that serves alcohol during the season
 - Living with adults who have alcohol in their home
 - Attending religious ceremonies where wine is served
- The 24/7 Rule has never been applied in the situations described



Interpreting Code of Conduct



- Explained in the “Understanding the Code of Conduct – Q&A” section (pg. 9)

“How does one interpret the Code of Conduct?”

Generally, words will be given their ordinary meaning, unless those terms are otherwise specifically defined. In the event of any conflict in interpretation, the determination of the Associate to the Superintendent shall be final. The interests of safety, and student and staff welfare, shall be paramount considerations in the interpretation of disciplinary rules.”



- Interpreted to align with the Code’s stated purpose:

- “state law mandates that each school district governing board establish rules for student behavior....” (pg. 9)
- “developing and maintaining a successful academic environment” (pg. 5)
- “safe and caring environment necessary for student success” (pg. 5)
- “help ensure schools are safe places for students, staff, and the public” (pg. 5)
- “Preserving the safety and protecting the health and general welfare of students” (pg. 9)



Important to Read the Entire Code



Understanding the Code of Conduct – Q & A

Why does the District have a Student Code of Conduct?

Preserving the safety and protecting the health and general welfare of students, District employees, visitors, and volunteers on school property and at school activities are the legal and moral responsibilities of the Governing Board and its Administration.

The Arlingtonwater Governing Board and Administration recognizes that students should have and need a certain degree of freedom to express their individuality in school, but any such expression should never intrude upon or endanger the freedoms of others. The Governing Board has therefore established policies and directed the Superintendent to establish regulations for student conduct which will strike an appropriate balance between individual freedoms and safe schools.

While the District and its parents, students, and public have expectations for what student behavior should be like, and while we hope every student will strive to meet those expectations, we know that some students will violate those expectations and need some action to help ensure that the violation does not re-occur. The severity of those violations will vary, but many violations will warrant corrective action to help ensure the violation does not recur. As a consequence, state law mandates that each school district governing board establish rules for student behavior, and include the range of consequences the District thinks will encourage more appropriate behavior in the future.

Do schools have their own rules for student conduct as well?

The principal and faculty of each school may have established school-specific rules for student behavior and conduct. These school-based rules are in addition to those contained in the Code of Conduct, provided they are consistent with the Code of Conduct, the policies of the Governing Board, and applicable law.

Students must comply with both the Districtwide Student Code of Conduct and with all rules established by the principal and faculty of the school they attend. A student's failure or refusal to comply with the rules of his or her school will subject the student to disciplinary action.

The principal of each school is required to ensure that copies of District and school rules pertaining to discipline, suspension, and expulsion of students are distributed to parents and students.

How does one interpret the Code of Conduct?

Generally, words will be given their ordinary meaning, unless those terms are otherwise specifically defined. In the event of any conflict in interpretation, the determination of the Associate to the Superintendent shall be final. The interest of safety, and student and staff welfare, shall be paramount considerations in the interpretation of disciplinary rules.

What happens under the Code if a student only attempts to commit a prohibited act, or helps someone else to attempt or actually commit a prohibited act?

When a student attempts to commit a prohibited act or participates in any way to help someone else to attempt a prohibited act, actually commits a prohibited act, or conceals the commission of a prohibited act, that student is subject to disciplinary action as if the student had committed the act. This means that students develop a sense of personal responsibility for behaviors they encourage or assist in others. To be subject to discipline in any circumstance, however, the student must first, at a minimum, actively engaged in some behavior which facilitated, promoted, or protected the underlying behavior.

What does the Code mean by "possession"?

A student will be considered to "possess" or "be in possession of" a substance or object if the student:

- (1) knows the nature, substance, and location of the substance or object; or
- (2) takes control of the substance or object, regardless of the length of time of that control or their intention.

Students who "hold something for a friend" are responsible for possession.

What is the difference between criminal law and school district rules?

Court proceedings relating to an incident at school are separate from the school's disciplinary procedures. Courts take action for violations of law – usually criminal law. Schools take disciplinary action for violations of school and District rules. Behavior which violates school rules may not violate criminal law. So, discipline may be imposed even if a court decides not to impose criminal penalties. The school administration may, however, be required to report certain kinds of student conduct to appropriate law enforcement officials if that conduct also constitutes a crime.

School conduct matters are governed by District rules and policies, rather than criminal law or court procedures. Juvenile or criminal court matters are not controlled by school district rules or procedures. Schools may use different definitions of violations than used in criminal law. When making decisions, schools do apply a different burden of proof than the courts. To succeed, the courts require evidence "beyond a reasonable doubt." School decisions are based on the "preponderance of evidence" standard where there is a greater weight of evidence than the evidence offered in opposition to it (i.e. 50% vs. 49%).

Where and when does the Code of Conduct apply?

This Code applies to students:

- During regular school hours;
- Whenever the student is being transported on a school bus or by other transportation arranged for by the school District;
- When the student is traveling to and from school by any other means, including walking or personal travel.

- During school events, including off-campus events and activities such as field trips and athletic competitions;
- At other times where a school employee has jurisdiction or authority over students, including summer activities;
- During other activities associated with or supported by the school in any way; and,
- On school or District grounds at any time, regardless of whether school is in session.

Additionally, the principal may take disciplinary action when a student's misconduct away from school has a detrimental effect on other students at school or on the orderly educational process of the District. Also, the principal may take disciplinary action if the violation is directly connected to prior violations at school or elsewhere to produce further violations or a risk of harm or injury at school.

What specific behaviors does this Code of Conduct prohibit?

The tables which follow in the next section of this Code of Conduct list rules for student conduct (prohibited behaviors). Prohibited behaviors are classified by the following categories in the table:

1. Aggression and Hostility
2. Alcohol, Tobacco, Medications, and Other Drugs
3. Arson and Combustibles
4. Attendance Violations
5. Harassment, Threats, Bullying, and Intimidation
6. Academic Dishonesty (Lying, Cheating, Forgery, or Plagiarism)
7. Disruptors to the Academic Process
8. Threatening the School Environment
9. Sexual Behaviors
10. Technology Abuses
11. Truancy
12. Trespassing
13. Vandalism and Damage
14. Weapons and Dangerous Items

What specific consequences can be imposed for violations of this Code of Conduct?

The tables which follow in the next section of this Code of Conduct list consequences for violations of the Code - the types of discipline which school District personnel are permitted or - in some situations - are required to impose.

The school principal or designee may determine the consequences from those listed. Multiple consequences may be selected by the principal. Principals can consider the age and developmental level of the student in setting disciplinary consequences.

Where a long-term suspension consequence is stated as a "Mandatory," a principal must present the matter to a long-term suspension hearing officer appointed by the Governing Board for a formal hearing unless the principal requests and obtains a written waiver approved by the Superintendent or his designee. If granted, a mandatory expulsion consequence for the same violation may be waived at the same time.

If not waived as noted above, a "Mandatory" expulsion consequence (where required that the matter be presented to a hearing officer appointed by the Governing Board to hear the matter and make a recommendation to the Governing Board about expulsion. This expulsion consequence may be waived by the Superintendent for his designee upon the student providing proof that he/she has met any terms and conditions set forth by the Long-term Suspension Hearing Officer.

The disciplinary consequences include the following school level and District level actions:

School-Level Disciplinary Actions:

When appropriate or required, school personnel may implement the following disciplinary actions:

- **Activity Restrictions** – Preventing a student from participating in or attending school activities such as dances, performances, athletic contests, field practices, video meetings, events, parties, etc.
- **Bus Probation** – Establishing conditions with which the student must comply in order to continue riding the school bus.
- **Bus Suspension** – Denying the student the privilege of riding a school bus for violations of the Student Code of Conduct, even if the student is not denied the right to attend school.
- **Confidence** – Meeting or contacting one or more of the following: the student, parent, counselor, principal, and other District staff members.
- **Detention** – Requiring that a student report to a specified location at certain times during school and before or after school, including "Saturday school."
- **In-Classroom Discipline** – Imposing consequences, which do not require suspension from school, such as loss of privileges, additional work assignments, temporary removal from class, and/or other classroom or school-based consequences.
- **In-School Suspension** – Assigning a student to attend a location in the school that is an area removed from the regular education setting.
- **Probationary Contract** – Executing a written document setting out academic and/or behavioral expectations for the student. Violation of the contract will result in additional, usually more severe, disciplinary action.
- **Reprimand** – Reprimanding the student, verbally or in writing, by a principal or other staff member.
- **Removal From Class** – Excluding the student from a classroom. The teacher is responsible for maintaining an appropriate learning environment in the classroom. Absence, therefore, permits a teacher to temporarily exclude a student from the teacher's class for serious disruption of the educational process within the teacher's classroom or for exhibiting persistent disruptive behavior. The teacher may also refuse to admit the student to the classroom under certain circumstances. In the event of such a removal from class, the student will report to a location at school determined by the school principal. School-based procedures which determine whether the student may return to the class are then implemented.

- **Requests for District-Level Disciplinary Actions** (listed below).
- **Revocation of Admissible Privileges** – Revoking admissible privileges.
- **Revocation of Off-Campus Privileges** – Revoking off-campus privileges.

- **Short-Term Suspension** – Suspending a student from school for up to nine (9) school days. During the term of a short-term suspension, the student must remain away from all District schools and activities. If it is necessary for a student to come to a school during a short-term suspension, the student must make prior arrangements with the principal to do so. A short-term suspension imposed by the principal's designee may be appealed to the principal. A short-term suspension, which was imposed or approved by the actual school principal, is not subject to appeal.
- **Student Schedule or Curriculum Adjustment** – Changing the student's class schedule, teacher, courses, instruction, or access to components of curriculum.
- **Time Out** – Removing a student from instruction in the classroom or from other school activities for a period not to exceed three hours. During time out, the student is assigned to a supervised area such as the principal's office, alternative or in-school suspension program, or responsibility room.
- **Work Assignments/Community Service** – Providing the student, at the District's discretion, an opportunity to perform supervised activities related to the assistance of personnel, or to the upkeep and maintenance of school facilities or other public properties, instead of serving or while serving in suspension or expulsion. The student and parent(s) may also request this alternative; however, the final decision rests with the principal. Supervision by parents may be required for this alternative.

District-Level Disciplinary Actions:

When appropriate or required, District-level personnel may implement the following disciplinary actions:

- **Any of the School-Level Disciplinary Actions** (listed above)
- **Long-Term Suspension** – Suspending a student from school for a term not to exceed the total number of school days in one school year (generally 175 school days). A long-term suspension may carry over from one school year into the next. The suspension hearing officer may provide an opportunity for the student to return early from suspension by meeting certain terms and conditions. During the term of a long-term suspension, the student must remain away from all District schools and activities. If it is necessary for a student to come to a school during a long-term suspension, the student must make prior arrangements with the principal to do so. A long-term suspension may only be imposed following a hearing held by a District-level hearing officer. A student or parent has a right to appeal the decision of the District hearing officer to the Governing Board in accordance with District policy and regulation. Suspensions remain in effect pending the Board's review of any appeal.

- **Expulsion** – Expelling a student from school until specifically permitted to return to school by the Governing Board, usually based upon the student's and the parent's compliance with certain terms and conditions. Expulsion can be permanent or not. During the term of an

expulsion, the student must remain away from all District schools and activities. If it is necessary for a student to come to a school during an expulsion, the student must make prior arrangements with the principal and the hearing officer to do so.

Following a long-term suspension hearing, the hearing officer may provide an opportunity for the student to avoid an expulsion hearing by meeting certain terms and conditions. If this action is not appropriate based on the circumstances surrounding the student's Code violation(s), or the terms and conditions are not met, whether or not the student should be expelled, and if so, under what conditions (if any) the student might be able to re-apply for admission to the District. Only the Governing Board can make the final determination of whether a student should be expelled and under what conditions the student might be able to re-apply for admission to the District. Before making its decision, the Board will consider the reports of both hearing officers and the statements of the student, family, and their lawyer (if any) are present and choose to speak in accordance with District policy and regulation.

Are educational services provided to suspended and expelled students?

In some circumstances, the District will offer ongoing educational services to students who are suspended or expelled. Whether the District does so depends upon the length of the exclusion from school, the student's status as a disabled student, and the nature of the student's offense.

Where students are eligible for and are offered continuing services by the District, the student's active participation in the alternative education services offered may be considered as a factor in reducing the level of discipline normally appropriate for the offense involved. For example, if a student is suspended for possession of illegal drugs and is being considered for expulsion as well, the fact that the student has enrolled in and is actively pursuing higher education in the alternative program offered by the District may result in a waiver of the requirement under this Code for expulsion or may even serve to reduce the term of the long-term suspension.

Are there special considerations for athletes and extracurricular participants?

Students participating in interscholastic activities for their schools do so as representatives of their school community and as role models for other students. Their involvement with tobacco, drugs, and alcohol at any time can therefore negatively reflect upon their community and convey a message to their peers. In addition, the use of tobacco, drugs or alcohol by athletic or activity participants can lead to an increased risk of harm or severe injury to themselves or others during those activities.

The Arlingtonwater District Board enforces a zero tolerance "DIT" policy on the use of tobacco, drugs, or alcohol by interscholastic participants. Any interscholastic participant who uses, possesses or transfers tobacco, alcohol or drugs at any time during their active season of competition will be immediately removed from the activity for the balance of the season. This rule applies 24 hours a day, seven days a week, regardless of a student's location.

Similarly, other behaviors by student representatives can reflect upon their team, school, and community. Students participating in interscholastic activities should be mindful at all times of the important role they play in their school community and how their behavior can negatively impact their fellow teammates, their fellow students, and the school in general. Whether at a home event, a school activity, a community function, or at the internet, student representatives must always observe appropriate decorum, behavior, and etiquette when acting in any way that is connected to the school or team.

appropriate decorum, behavior, and etiquette when acting in any way that is connected to the school or team.

How does this Code of Conduct apply to students of different ages and developmental factors?

The rules and procedures outlined in this Student Code of Conduct apply to all District students. The age, maturity, and developmental factors of students may be considered in determining the type of disciplinary action to be taken in the event of a violation. Generally speaking, the older and more mature a student is and/or the more serious the infraction, the more personal responsibility the student will carry for his or her actions.

District personnel who administer student discipline will follow appropriate disciplinary procedures for disabled students when dealing with students in special education programs, with those receiving Section 504 accommodations, and with those who are pending evaluation.

Conduct Rules and Consequences

School-Level Actions

Code of Conduct Rule violations may result in one or more of the following School-Level Actions:

Activity Restriction	Removal from Class
Bus Probation/Suspension	Reprimand
Community Service	Revocation of Automobile Privileges
Confidence	Revocation of Off-Campus Privileges
Detention	Schedule or Curriculum Adjustment
In-Class/School Discipline	Short-term Suspension
In-School Suspension	Time Out
Probationary Contract	Work Assignment

Each School Level Action involves a conference with the student to review appropriate conduct.



Definition of “Possession” is on Page 10



What does the Code mean by “possession?”

A student will be considered to “possess” or “be in possession of” a substance or object if the student:



(1) knows of the nature, existence, and location of the substance or object, or



(2) takes control of the substance or object, regardless of the length of time of that control or their intention.



Students who “hold something for a friend” are responsible for possession.





What happens under the Code if a student only attempts to commit a prohibited act, or helps someone else to attempt or actually commit a prohibited act?

What happens under the Code if a student only attempts to commit a prohibited act, or helps someone else to attempt or actually commit a prohibited act?

When a student attempts to commit a prohibited act or participates in any way to help someone else attempt a prohibited act, actually commits a prohibited act, or conceals the commission of an act, that student is subject to disciplinary action as if the student had committed the act. This ensures that students develop a sense of personal responsibility for behaviors they encourage or solicit in others. To be subject to discipline in any circumstance, however, the student must have, at a minimum, actively engaged in some behavior which facilitated, promoted, or protected the underlying behavior.

When a student attempts to commit a prohibited act or participates in any way to help someone else attempt a prohibited act, actually commits a prohibited act, or conceals the commission of a prohibited act, that student is subject to disciplinary action as if the student had committed the act. This ensures that students develop a sense of personal responsibility for behaviors they encourage or solicit in others. To be subject to discipline in any circumstance, however, the student must have, at a minimum, actively engaged in some behavior which facilitated, promoted, or protected the underlying behavior.

What does the Code mean by "possession?"

A student will be considered to "possess" or "be in possession of" a substance or object if the student:

- (1) knows the nature, existence, and location of the substance or object, or
- (2) takes control of the substance or object, regardless of the length of time of that control or their intention.

Students who "hold something for a friend" are responsible for possession.

What is the difference between criminal law and school district rules?

Court proceedings relating to an incident that also involves a violation of criminal law are separate from the school's disciplinary procedures. Courts take actions for violations of state or federal criminal laws. Schools take disciplinary action for violations of school and District rules. Behavior which violates school rules may not violate criminal law. So, discipline may be imposed even if a student's behavior does not impose criminal penalties. The school administration may, however, be required to refer certain kinds of student conduct to appropriate law enforcement officials if that conduct also constitutes a crime.

Student conduct matters are governed by District rules and policies, not by criminal law or court procedures. Juvenile or criminal court matters are not controlled by school rules or procedures. Schools may use different definitions of violations than used in criminal law. In making decisions, schools do apply a different burden of proof than the courts. To convict, the criminal justice system requires "beyond a reasonable doubt." School decisions are based on the "preponderance of evidence." A preponderance of evidence exists where there is a greater weight of evidence than is offered in opposition to it (e.g. 50.1% vs. 49.9%).

Where and when does the Code of Conduct apply?

This Code applies to students:

- During regular school hours;
- Whenever the student is being transported on a school bus or by other transportation arranged by the school District;
- When the student is traveling to and from school by any other means, including personal travel;

What does the Code mean by "possession?"

A student will be considered to "possess" or "be in possession of" a substance or object if the student:

- (1) knows of the nature, existence, and location of the substance or object, or
- (2) takes control of the substance or object, regardless of the length of time of that control or their intention.

Students who "hold something for a friend" are responsible for possession.



2. Purpose for 24/7 Rule

- Public commentators have suggested a zero-tolerance rule does not teach students who violate the rule
- The zero-tolerance consequence of the 24/7 Rule has remained unchanged despite revisions having been made to provide progressive disciplinary consequences for other rules
 - Mandatory long term suspension and expulsion hearing requirements have been eliminated for some disciplinary consequences to remain consistent with social norms
 - Yet, those mandatory hearing requirements remained for the second offense to ensure student learning through progressive discipline
 - These changes were recommended following data gathering and stakeholder input





Progressive Discipline Option

Optional Tiered Approach

1 st Violation	2 nd Violation	3 rd Violation
<ul style="list-style-type: none">• Two-week restriction <u>or</u> Restricted for 20% of the season and/or post-season (No practice, competition, or travel)• Parent, coach, AD meeting• Meeting with counselor (or social worker)• Leadership training• 5 hours of community service	<ul style="list-style-type: none">• Immediate removal from team• Completion of AZYP Wake Up program• 10 hours of community service	<ul style="list-style-type: none">• Year-long restriction from participation in any interscholastic program• Completion of Pima County approved substance abuse program• 20 hours of community service





Other Considerations

- Expanding consequences to next season if violation occurs at end of season
- Approving specific circumstances that permit elevation to the next and/or immediate removal from the team
- Approving an appeal procedure for a 24/7 Rule violation



Recommendation

Recommended Action Plan

1. Gather stakeholder input to ensure any potential changes take into consideration the perspectives and experiences of the Amphitheater community.
 - Superintendent's Advisory Councils: Student, Parent/Community, Certificated and Classified
 - Administrators
 - Coaches
2. Present a recommendation for implementation for next school year (23-24)
3. Present the recommendation as part of the Governing Board's study of the 23-24 Student Code of Conduct in April 2023

Questions

